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# THE IRISH ECCLESIASTICAL RECORD

*A Monthly Journal, under Episcopal Sanction*

VOLUME XXIV  
JULY TO DECEMBER, 1908

*Fourth Series*

DUBLIN

BROWNE & NOLAN, LIMITED, NASSAU STREET

1908

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TERENTIUS O'DONNELL, S.T.D.

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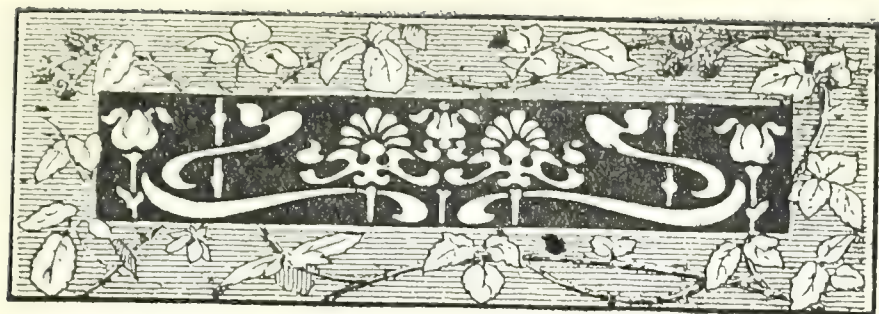
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## THE BIOLOGICAL IDEA OF SOCIETY

ACCORDING TO MR. J. RAMSAY MACDONALD, M.P.

**A**LTHOUGH England was long the classic land from which Continental Socialists were pleased to illustrate the principles on which they professed to ground their theory, it is nevertheless true that Socialism never made much progress there. Many would be disposed to look on such a fact as a proof of the practical good sense of Englishmen. It was not so with English Socialists, however. To them the indifference with which their countrymen regarded the Socialistic movement was a reproach and a scandal that they felt called on to remove as quickly as possible. The practical result was the project to produce in English a scientific Socialistic literature, for want of which they believed their cause had suffered seriously in the past. From the prospectus to the Socialistic Library published in April, 1905, we learn that 'the Library will aim at providing studies in Socialism, or from Socialistic standpoints, which will be stimulating to the Socialistic movement, and which will do something to knit together the different sections of Socialistic opinion and activity in this country.'

As exemplifying the mental attitude of English scientific Socialists, a study of one of the volumes of the Socialistic Library may repay the labour expended on it, although I cannot promise that it will give much assistance, either for understanding the system, or disposing of the difficulties against Socialism—difficulties that have always been con-



sistently urged, but that have never yet been satisfactorily answered. I have selected the volume entitled *Socialism and Society*, by Mr. J. Ramsay MacDonald, M.P., editor of the series. It was first published in 1905, but as the fifth edition appeared practically unchanged in 1907, it may be taken as giving, as far as it goes, the views of Socialist leaders in these countries.

Socialists were never conspicuous for definiteness in propounding their views. Vague generalities and highly-coloured pictures always appear to have a peculiar fascination for them. The work under review is not exceptional in this respect. In fact, it seems to advocate further looseness of thought, and more unrestrained indulgence in Utopian dreams. 'There is too much doctrinairism in Socialism,' we are informed in the preface. Of course we find the peculiarly Socialistic assumption that their party possesses a monopoly of the intelligence and enlightenment of the country. All outsiders are blind reactionaries. 'Moreover,' we are told, 'it is equally true that if the capitalist were fully enlightened, he, too, would embrace Socialism on account of the great blessings it would bring him.' For the rest, I have found the book to consist of the usual indictments of the present condition of society with the altogether gratuitous assumption that all will be transformed in the Socialistic state, that a new earth will be created—evolved I should say, perhaps—in which universal justice will reign, where selfishness and oppression will be no more; while its special feature is the extreme, almost literal sense in which the biological idea is applied to society, and made the scientific foundation of Socialism.

With regard to the modest assumption of intellectual superiority of Socialists, I have not much to say. What is simply assumed may be as simply denied. There is nothing to be gained by arguing on such a point. Judging by the ordinary standards by which we are accustomed to form our opinion of a man's intellectual capacity, there is nothing, to put it mildly, to lead us to believe that Socialists have been particularly favoured by Providence in this respect.

I, for one, have no inclination to quarrel with Socialists or anyone else for pointing out and condemning the social evils and economic abuses that are so widespread at present. Nor am I here concerned to determine how far these things may be due to mismanagement and injustice, and how far they are inevitable in human society. What I wish to call attention to is the assumption that their existence goes to establish the truth of the Socialist's position. For such is the assumption in Mr. MacDonald's book. With undoubted clearness and force he marshals these evils, and then triumphantly flourishes Socialism, as affording a remedy for them all. We must believe, therefore, that he takes the existence of these evils amongst us at present as making out a case for Socialism, otherwise it is difficult to understand why he dwells on them at such length. But he offers no proofs of this; and surely the connexion is not self-evident. It may be said, however, that Mr. MacDonald considers the case for Socialism sufficiently established already, and that it is no part of his purpose to prove it in this book. Perhaps that is so; but then, to say nothing of the criticisms that have been directed against the Socialists' position, and that in the opinion of most people show it to be untenable, one is utterly at a loss to know why he introduces them at all. The works that must be supposed to have established Socialism certainly have not overlooked them.

It is quite an easy thing for anyone to criticise the existing state of society and wax eloquent on its abuses, but it is altogether unwarrantable to conclude that a case has been made out for a totally untried order, without showing that it would put an end to the old abuses, and would not give rise to equal or greater hardships. If, as Mr. MacDonald seems to maintain, the lot of the multitude has got harder during the period of Liberalism, it would be conceivable that one should try—unjustly of course, yet not irrationally—to conclude that such a fact would be an argument in favour of a return to the feudal system, under which *ex hypothesi* the evils were not so great. But it is not utterly unreasonable to merely point out these

evils, that on his own showing have flourished under Liberalism, and conclude forthwith that they will cease under Socialism, which it is contended is but the next stage in the social evolution?

It must afford no slight satisfaction to opponents of the old Marxian system of Socialism to find in Mr. MacDonald such a destructive critic of its principles. 'Marx's co-ordination of historical fact and explanation of historical movement, from the point of view of the Hegelian left wing, brought the whole theory of Socialism from the misty realms of vague desire, to the clearly defined empire of science.' Yet he has no hesitation about rejecting Marx's scientific foundation. 'But his (Marx's) conception of the method of social change misled him as to how the Socialistic forces were to act. Darwin had to contribute the work of his life to human knowledge before Socialism could be placed on a definitely scientific foundation.' They are truly wonderful at science are Socialists, but one cannot help regretting that their science has so little consistency. 'To this day,' we are told again, 'the metaphysical and logical faults of the Hegelian dialectic are vitiating the theories and dogmas of one of the Socialistic schools—the Marxian.' And yet again, 'his (Marx's) philosophy belonged to an old generation: his logical view of the State was unreal: the words which he used, together with that which they expressed so accurately, are inadequate in relation to modern thought and misleading for practical conduct.' 'Inadequate in relation to modern thought,' is certainly not a very illuminating expression. I fancy it was intended as a euphemism for absolutely false, which perhaps Mr. MacDonald did not like to use of the great apostle, although he evidently believed that it would be correct, seeing that he writes: 'Such a view (the Marxian view of a war of the classes) is both inaccurate as to facts and misleading as a guide to action;' and, 'it (the class war) is nothing but a grandiloquent and aggressive figure.' Further on he waxes warmer: 'I am aware that the Marxian argues that this class struggle (between labour and capital) is the last in history, and that when the proletariat has been emanci-



pated the epochs of struggle end. The argument is absurd.'

Seeing that he has himself found Marx's long-lauded principles false and misleading, Mr. MacDonald cannot take it amiss if others refuse to accept without question what he wishes to put in their place. It is undeniable, indeed, that a true theory of economy or sociology might be based on false principles, just as it is undeniable that a true conclusion might be derived from false premises. But when we find certain principles long propounded with a theory, without any indication that they are not substantial to it, and when we find, moreover, that they have been regarded as its scientific basis, and hailed as the light in which it is made evident, we cannot help feeling suspicious about the theory, when we see its most ardent supporters rejecting these principles. Much less can we be expected to accept without convincing proof any new principles by which it may be sought to sustain the theory. And certainly in Mr. MacDonald's book there is an absolute lack of proof for the principle he advocates, unless his confident assertions be taken as such.

However we might disagree with Marx's *Materialistic Reading of History* and *Class Warfare*, we could not fail to be struck by their plausibility and apparent consistency. The same cannot be said of the principle that Mr. MacDonald propounds—the biological idea of society, as it is called. The surprise that one experiences on first coming upon it is but increased by fuller examination. In the preface to the second edition, he hints at certain limitations that must be made in the application of this biological idea of society. 'Within the limits of this necessarily short volume,' he says, 'I have been unable to show in what respect the organic likeness of society requires modification.' But that his modification must be extremely slight, is apparent from the volume itself. The fact that he nowhere formally explains the idea makes the critic's task much more difficult than it would otherwise be, inasmuch as it entails the necessity of gathering his view from detached passages. It may be considered unfair to take passages out of their context, and to collect in this

way statements and expressions that were perhaps never intended to be so united. But as Mr. MacDonald says himself: 'We must work on some provisional hypothesis, if political effort is to be anything but a pastime of the useless classes.' And there is no other way of coming at a true notion—as far as a true notion is at all possible of his own hypothesis.

I accept the organic type of organization as that to which society corresponds in its essential characteristics. . . . In the organism (of an individual) consciousness is concentrated in a small part of the whole—the brain or nervous system: in society consciousness is diffused throughout, and no specialized function of feeling can be created. This, Spencer calls a cardinal difference. But upon examination the difference appears not nearly so great as it seems at first. The cells that are ultimately differentiated to become the nervous systems of organisms are the ordinary cells which go to make up the organic tissue, and they differ from muscular cells no more than a doctor differs from an agricultural labourer. Moreover, the work of organic nerve systems is paralleled in society by political functions as a Socialist conceives them. . . . The organ—class or group of persons—which fulfils these functions, and the individual cells—persons, etc.

Such, then, in brief, is Mr. MacDonald's biological idea of society: society is to be regarded as an organism of which the various classes are the organs, the individuals the cells, and the political functions the nervous system. The only difficulties against the view which Mr. MacDonald considers worth mentioning he dismisses with scant courtesy. 'Has society a form? Unless it has, it is impossible to conceive of organic functions being performed by the individual and groups of individuals. Society has no form like a plant, or an elephant, or a man himself. But here again it is more the appearance than the reality that is wanting.' And he goes on to point out that 'it is a vital relationship between organs, not a bodily form containing these organs that constitutes an organism.' The second difficulty is that society is not self-conscious. 'As a matter of fact,' it is replied, 'society is keenly self-conscious.'

To this concept of society he applies the evolutionary

theory of development, and concludes that the social organism has gone through certain stages of evolution in the past, and will go through others in the future that will result in Socialism.

Darwin had to contribute the work of his life to human knowledge before Socialism could be placed on a definitely scientific foundation. . . . Hence it is that the laws governing the existence and growth of human Society could not be understood until biological science was sufficiently advanced to explain with tolerable fulness of detail, the laws which regulate life and its evolution.

Of this scientific foundation of Socialism we can only say what Mr. MacDonald has said himself of the old Marxian principles, that it is 'inaccurate as to facts, and misleading as a guide to action.' I suppose it would be considered unpardonable reaction to introduce into the discussion of anything so modern and progressive as Socialism any of the ideas or methods of the Schoolmen. And so without dwelling on concepts such as those of subsistence and personality, which after all, if we were not so self-sufficient in our modern enlightenment, might be found of very considerable utility in dispelling the haze that envelopes the biological idea of society, I shall attempt in more popular language to point out what appear to me to be some fatal flaws in the parallel.

The objection that society is not self-conscious is carelessly dismissed with the direct negative that 'society is keenly self-conscious.' 'For,' it is added by way of illustration, 'what are laws and customs but evidence of the self-consciousness of society?' One cannot help regretting that our author has not been at more pains to explain the nature of this self-consciousness he claims for society. I can understand the meaning of the self-consciousness of the individual well enough, that he recognizes his own existence, and his own acts as belonging to himself. It is not the head or hand, or any cell of either, that thus recognises itself; nor is it that any organ or cell of the body recognizes its relation with other parts of the body. The act of self-consciousness is the act of the whole individual



accompanied indeed by certain activity of certain definite cells, but the self-consciousness does not belong to these cells, but to the individual they go to constitute. But what is this self-consciousness of society? Is it possible to point to any definite act by which society becomes conscious of itself? I cannot believe that it is. The individuals that constitute society may be conscious of themselves, and conscious, too, of their position in society, but there is no one act by which society as such recognizes itself. Nor can it be seen how law is, as Mr. MacDonald says it is, an evidence of the self-consciousness of society. Law is simply an enactment proceeding from the intellect and will of some individual, or from the joint intellects and wills of a group of individuals. Where there is one definite superior, it is manifest that the act by which he legislates for society implies no self-consciousness on the part of society. If he is an upright ruler, he does what he himself believes to be for the advantage of the whole State, but the act is simply his own, personal and individual. Although the circumstances connected with democratic legislation may supply abundant opportunities for loose writing and grandiloquent allusions to the will and the voice of the people, it is nevertheless true that here, too, there is no evidence of communal self-consciousness. The irresistible will of the nation is nothing more or less than the combined wills of some or all the individuals that constitute the nation; the trumpet tones of the people is nothing else than the swell of many voices calling in unison. And when the democratic leaders come to interpret that will in accordance with that voice, they are simply trying to gauge what most nearly represents the will of the largest number, and to give expression to that will in the laws they enact. But clearly neither on the part of the people themselves, nor of their representative governors is there anything at all to point to a definite act of self-consciousness of the whole community. The foundation of the obvious error into which Mr. MacDonald has here fallen, is his failure to realise what everyone knows to be a fact, viz., that there is an essential difference between



a mere moral personality like the State, and a physical personality such as belongs to every individual member.

And this leads to the other difficulty which Mr. MacDonald also notices, but dismisses with almost equal brevity, viz., that the State has not a form. His answer is that it has a form, as far as a form is essential to a true organism. 'A vital connection between organs,' he says, 'not a bodily form containing these organs constitutes an organism. Society is such an organism.' A vital connection, however, requires some sort of physical connection. The precise form of a man, an elephant, or a tree may not be required; but, at least, it is required that the cells and organs of the man, the elephant, or the tree be physically joined together, in order that an organism be the result. And surely no one can contend that the individuals and the classes in society are united together in such a way. This criticism must appear crude, I know. But the crudity is not mine; it belongs to the system that will not bear a close examination.

It is only in keeping with the general confusion of the book, that after a perusal of it, one cannot confidently say whether the author really regards existing society as organism or not. In some places, he expressly states that it is, while in others he almost equally clearly implies that it is not. Thus in one passage we read:—

Society belongs to the biological type of existence because it is no mere collection of individuals, like a heap of sand, but a unified and organized system of relationships in which certain people and classes perform certain functions and others perform other functions, and in which individuals find an existence appropriate to their being by becoming parts of the functioning organs and by adopting a mode of life and seeking conditions of liberty, not as separate and independent individuals, but as members of their communities.

And again:—

The fundamental mistake of the Utopia builders was that they did not understand that society develops in accordance with laws of social life, and that it could not be rebuilt right away like a house, on plans designed by the moral consciousness

and administrative acuteness of individuals. They did not see that the reforming operations of the individual will are limited by the fact that Society progresses by the readjustment of its existing organism.

But this is truly a phenomenal biological type specimen he invites us to examine. 'One of the chief characteristics of existing society,' we are told elsewhere, 'is the incoherence of its functions. . . . It is as though a stomach performed its functions, not as part of a body, but as an organ conscious only of its separate existence, and thinking primarily of that existence. At present each separate organ preys upon all the others.' I do not pretend to understand what the author intends to convey by a stomach performing its functions 'conscious only of its separate existence, and thinking primarily of that existence.' Does he mean to convey that in the perfect body the stomach would be conscious of its existence as part of the body, and think primarily of the existence of the whole? In truth consciousness, whether of self or of anything, belongs not to the component parts of any biological organism, and it must ever remain impossible to construct such an organism from a number of separate conscious individuals. How, too, we may ask, can there be real incoherence of the functions of an organized body? Does not coherence of functions belong to the very essence of an organized body? And it is even more surprising still to hear that the organs of this strange organism prey on one another. Even though it might happen by some extraordinary freak that the organs of a body did prey upon one another for a time, would not that be the certain forerunner of dissolution? Yet we are coolly asked to believe that society is going through such a stage, and that it will not only survive it but emerge after a course of biological development into a state where all the organs will be perfectly co-ordinated. And, as if to complete the process of our mystification, we are also told that 'to establish an organic relationship—a relationship by which each, contributing co-operatively to the life of the whole, may share in that life—has now become the task of society.' This does certainly look

like a going back from the position adopted in the passages already quoted, where it is said that society belongs to the biological type of existence, that it is a unified and organized system of relationships, and that the fundamental mistake of the Utopia builders was their failure to understand this fact.

We would fain know more of the nature of this 'vital connexion between organs' which Mr. MacDonald assures us is to be found in the social organism. No doubt we are told that 'its organs are connected by a living tissue of law, of habit, and custom, of economic interdependence, of public opinion, of political unity; and these living connexions maintain the stability of relationship between organs precisely as bodily form does.' This surely is the worst form of trifling with words and ideas. There is, indeed, a certain wide analogy between these relations and the living tissues of a body, but no more. These are merely moral relations, while the tissues of a body are physical connexions, and it is as wholly unjustifiable to attempt to reason on one through the scientific laws of the other, as it would be, for instance, to apply the chemical law of definite proportions to the constitution of a religious order or political party. This is only another effect of the fundamental mistake of confounding physical and moral bodies. Indeed in the very paragraph from which this quotation has been taken we have unmistakable instances of such confusion. 'Custom, public opinion, habits, mental attributes, institutions,' these, we are told, equally with laws make up the living tissues. Yet, in the next sentence, it is added that 'the individual is part of them.' How can an individual be said to be part of laws, custom, public opinion, etc.

I am sure that Mr. MacDonald cannot be blind to the fact that even according to his own biological concept of society, the functions of its different organs must be of very varying degrees of respectability. Even in a Socialistic state, streets should be swept, and other menial offices should be attended to. What is to determine the cells that are to form these organs? I suspect



that this is one of the questions that he would prefer not to answer definitely, but allow to solve itself on the principle *solvitur ambulando*, from which he seems to expect so much. However, in two passages, he insinuates, to some extent, what his mind would be on such matters. 'The cells that are ultimately differentiated to become the nerve system of organisms are the ordinary cells which go to make up the organic tissue, and they differ from muscular cells no more than a doctor differs from an agricultural labourer.' This passage, if I understand it correctly—for I cannot always feel confident that I have grasped the author's real meaning—means that just as in living bodies certain cells are in accordance with the natural development of the organism, set aside, assigned to certain organs, so in the Socialistic state, by virtue of the organic nature of society, individuals will be determined for carrying on the various offices. That would, indeed, be a most satisfactory explanation, if we could only bring ourselves to accept it. No doubt, it would be most agreeable to the chosen few that held the offices of honour and remuneration, The interpreters of the communal will—for so I presume legislators should be designated in the Socialistic state—would be pleased to be regarded and to regard themselves as nature's choicest products, ruling their fellows solely in accordance with the natural fitness of things. But their less favoured fellow-citizens would, I fear, be unreasonable enough to take a different view of the situation. They would find it hard to reconcile themselves to the operation of this vital force in society. They would, in fact, insist on demonstrating that they themselves had something to say to the arrangement. And what would become of our biological idea? Here, too, we see the fallacy of likening individuals to cells. The place of the cell in the organism is determined by the natural development of the body itself, conscious individuals will ever insist on having something to say to the position they are to hold in society.

Perhaps it is the feeling that after all the biological idea does not quite solve this difficulty against Socialism,



that has induced Mr. MacDonald to postulate that 'the individual will respond to the responsibilities which that condition (the Socialistic condition) will lay upon him.' Of course, when the sky falls we shall catch larks, and when human nature is purged of all its errors and ambitious men will fully realize and agree about each one's social obligations, and every man will perceive and accept the place in society that nature has adapted him for. So far, however, there is no appearance of such a blissful consummation, nor is there any indication of its near approach. When it does come, there will be no necessity for people to trouble about the constitution of society, social success will be secured, independent of Socialism or Individualism.

When Mr. MacDonald has established the biological idea of society to his own satisfaction, we cannot be surprised at certain deductions which he makes from it, however little we may be inclined to accept them ourselves, and dangerous, as they be, if pressed to their logical conclusion. The State is the great thing; the individual—the cell—of very little relative importance. Therefore, we are prepared for the following:—

When we build our houses, use the facilities of modern town life, become enraptured with our religious consolations, contemplate the productions of our art, or plunge into the speculations of our divine philosophies, we seldom think that all these precious possessions and exercises belong to Society and not to the individual, and that when the individual enjoys them he is in reality putting to use possessions which he cannot keep for himself, and which he did almost nothing to acquire, which he can do little more than protect from rusting and corrupting, and which he simply has the privilege of borrowing for usury. . . . When in time we come to die our place is of little consequence . . . Our life is of value mainly in so far as it has contributed to the fulness of social organization and efficiency. . . . Society is the total life from which separate cells draw their individual life. . . . The individual is primarily a cell in an organism.

Here, I suppose, we would be shown the justification of such communism as is to be found in all schools of

Socialism. With that I do not consider it necessary to deal here; its treatment would cause this paper to run beyond all reasonable length, and it has been dealt with sufficiently by others. But there is another point that suggests matter for consideration. When we die, our place, of course, is of little consequence to society, but it is of vast consequence to ourselves. Nor can we admit that the main value of our life consists in its contribution to the development of social life, and the development of social organization and efficiency. Such a view of human life is not only unchristian, but incompatible with any real belief in divine Providence and individual human responsibility to God. We hold, indeed, that man is a social being, that it is only in society he can fully develop the gifts that his Creator has bestowed on him, but we hold, at the same time, that the individual man remains free and independent—malodorous as these terms appear to up-to-date Socialists—even in society. Hence I make bold to assert that the great thing for human beings is not society, but the individuals that compose the society, that in fact every right and privilege we vindicate for society must be justified by the advantages it confers on the sum of the individuals, and must be shown, moreover, not to be destructive of any one's indefeasible right, that it is a puerile practice and productive only of mischief to make an abstraction of society, and deck it out with an array of rights and privileges that are not subordinated to the good of the individual human beings. Society is for man, not man for society. Although a unit in society, each man has yet a kingdom within his own soul, in which his own conscience holds sway, and for the management of which he is directly responsible to his Lord and Master. He may, indeed he must, mix in society, but he still retains the charge of this kingdom, and his prerogatives of liberty of conscience and essential independence he cannot forfeit, even though he would.

Anyone that accepts this view of the relations between individuals and society, cannot sympathise with these Socialists who do not conceal their scorn for the idea of

'an individual as a separate, self-contained creative being, bedecked in the regal garments of possessions and rights.' Indeed, it is interesting to note the contempt with which Mr. MacDonald, voicing the spirit of his school of Socialists, alludes to the 'crude individualism . . . of "all men are born free and equal" type which was the foundation of liberal politics.' We cannot withhold the tribute of a sigh for the poor declassed Radicals, disowned and condemned by their own intellectual offspring. And yet how similar are the ways of Radicals and Socialists? Of old the Radical panacea for social ills was the recognition of all men's equality and independence. Impatient of slow, prosaic attempts to improve the existing state of things, they clamoured for complete reformation on the basis of this principle. This view they persistently proclaimed until its fallacy could no longer be ignored. Then, with characteristic self-assurance, the leaders of intellectual revolt turned right about, raised the cry of society's supremacy, and in zeal for their newly-discovered theory, scornfully rejected individual independence altogether. It is ever the case with these self-constituted prophets. They take life in the abstract, seize on one of its aspects, and rhapsodize on that, as if it alone were worthy of consideration. Thus the early Radicals, in vindicating the individual's independence, overlooked the fact that if man is independent, he is also social, and consequently the limitations which his social nature necessarily imposed on his independence; while Socialists, in their zeal for the claims of society, forgot that social man is still really independent. It is easy to understand that this one idea evangel gives its advocates certain decided polemical advantages. They can easily make an appearance of thoroughness and consistency, while all existing ills they assume to be traceable to the fact that their principles has not been recognized. Commonplace reformers who try to safeguard the claims of the individual and of society, and who for that reason are opposed to drastic changes, leave themselves open to suspicions of weakness and inconsistency, and are liable to be made appear defenders of all existing evils. Yet to



calm impartial reason there can be no difficulty in deciding who is right. It cannot fail to perceive the necessity of defending social ties against extreme Radicalism, and individual independence against extreme Socialism.

Socialists at present make great capital out of the problems of the unemployed and unemployable, manifestly insinuating that in their ideal social conditions such things would no longer be a burthen to us. Mr. MacDonald does not go into details on these points—perhaps because he does not consider them sufficiently within the scope of his work. Of his plans for the unemployed as distinct from the unemployable, he has nothing that would enable us to form an opinion. But with regard to the unemployable, he has some expressions which should set us thinking, and which, if we are to take them seriously, should make us genuinely solicitous for the fate of that afflicted class, should Socialists ever find themselves in a position to give effect to their schemes. ‘The Socialist creed is that property can be legitimately held only as the reward for services.’ And lest there should be any doubt as to the practical effect of this dogma arising from any technical meaning that may be attached to the term property, we must also keep before us what is stated elsewhere, that ‘to make the State a hive of busy workers enjoying their rights only by virtue of their services . . . that is to be the task of the Socialist epoch.’ What, then, is to become of all who can render no service to the State—the unemployable—in the Socialist epoch? They are to have no property, no rights, nor can they enjoy any security from organized charity, for a charity organization society is pronounced an ‘antiquated pre-historic notion.’ For them there seems no place in the Socialist state.

This conclusion, so startling at first sight, is really only in perfect accord with the fundamental principle of Mr. MacDonald’s book. For, after all, if society is the great thing to be considered, if the individual is ‘primarily a cell in an organism,’ if ‘our life is of value mainly in so far as it has contributed to the fulness of social life and the development of social organization,’ if individual’s rights



are considered only worthy of a sneer, there obviously is no justification for our making provision for the inactive, useless classes. The Spartans of old may not have been great biologists, but at least they seem to have been inspired with the idea that the individuals existed for the State: nay more, they seem to have acted in great part on that idea. Whether or not the result was desirable may be a matter of opinion. I do not believe that it would altogether commend itself even to the diluted Christian conscience of the twentieth century. The well-known custom of exposing children to death on Mount Taygetus would shock the vast majority of our most unscrupulous contemporaries. Yet it was quite consistent with what would appear to have been their idea, and it would certainly be consistent with the biological idea of society. If 'life is of value mainly in so far as it has contributed to the fulness of social life, and the development of social organization,' why allow an individual to continue in existence that so far from conducing to the perfection of society must draw on society's resources for his support, without contributing anything in return? We should not hesitate to lop off a cell that instead of conducing to the health of the whole organism interfered with its proper development by consuming and wasting a certain amount of its support. Nor is there any reason why Socialists of the school I am here considering should rest satisfied with the destruction of unpromising children. There are many other classes whose removal would certainly make for a healthier social organism. Lunatic asylums that are at present such grave burthens on the community at large, should give way to public lethal chambers, where at least the incurably insane would be quietly and painlessly deprived of the lives which they are unable to turn to the advantage of society. The same would be true of hospitals for incurables, and to a certain extent of hospitals of every description, workhouses, and sanatoria for consumptives. Indeed, it would soon require a nice mathematical calculation to decide what degree of mental and bodily efficiency would entitle an individual to a place in this fetich state. In such a State

the ministers of euthanasia would ply even a busier trade than they are represented as doing in a recent brilliant work of fiction.

These are only specimens of the criticisms that might be made on Mr. MacDonald's book, *Socialism and Society*. They should be sufficient, however, to give us an idea of the scientific value of the Socialistic Library, which aims at knitting together the different sections of Socialist opinion and activity in these countries.

J. KELLEHER.

## ST. PAUL'S TRAINING AND PREPARATION

IF Catholic scholars betimes say seemingly hard things of those who profess to belong to the school of independent criticism, it is unjust to infer from this that the Church is the enemy of scientific research. The Church has always welcomed, harboured, and encouraged the learned in whatever field they laboured; nor is her traditional attitude altered to-day. She throws her archives open to the world; she bids her children widen and deepen their studies in every branch of learning. Far from fearing critical studies she rather invites them. If, however, critics taking an *a priori* attitude will reject as doubtful or false what a hallowed tradition has held to be true, she naturally hesitates to accept such conclusions; she submits the premises to a severe test, and if they are found wanting she delivers her judgment fearlessly. If the critics will insist on applying a critical method to some books of Sacred Scripture, which, if applied to any work of profane history, would prove fatal and destructive; if a gospel is lowered to the level of a collection of pious meditations, or the mere miscellaneous musings of some visionary speculators about Jesus of Nazareth; if the Acts of the Apostles is deprived of all historical value; if St. Paul's conversion is declared to have been the effect of cerebral congestion consequent on the heat of the desert of Traconitis; if St. Paul's doctrine, Paulinism, as it is sometimes called by the critics, is shown to be different from Christianity—then, indeed, Catholic scholars are not squeamish about their protests against what they believe to be false and dangerous doctrine, and utterly undeserving of the name of learning. It is to be remembered, too, that Catholic scholars are mild, and, as far as they can be, consistently tolerant towards the critics, while the critics themselves when they differ, as sometimes happens, are more outspoken on each other than might be expected even from candid friends. Abbé Loisy refuses Harnack's conclusions

on the Acts of the Apostles, and opposes to them those of what the Abbé calls true critics, such as Baur, Semler, and Jülicher. Hilgenfeld is equally trenchant on the Berlin professor in his *Kritik und Antikritik der Apostelgeschichte*. Harnack rounds boldly on the Tübingen school, and ridicules their treatment of the Acts of the Apostles as patently illogical. Pfleiderer shifts from one phantasy to another, and each change of position lets loose a storm on the sea of independent criticism. The Church meanwhile is avowedly conservative and calm; she is well aware of the difficulties that surround her; she is, however, conscious that she holds a sacred deposit of truth; she is jealous of her treasure and, confident in the efficiency of her defenders, she has no fear. She welcomes every increment of true knowledge but where theory takes the place of facts she will have none of it.

Any study of St. Paul's life must necessarily include an allusion to the sources of our information concerning the great Apostle. Besides the Epistles, the Acts of the Apostles furnish us with the important incidents of St. Paul's life; but while the Epistles are admitted by most critics to be in great part genuine, there is, with perhaps the exception of the fourth Gospel, scarcely any book in the canon of the New Testament which has been so severely handled by the critics of the latter half of the nineteenth century as the Acts of the Apostles. It has been relegated to the category of pious romances of the second century, and declared to be an *écrit tendancieux*,<sup>1</sup> or a *roman à thèse*, a kind of historical fiction with a purpose, the object of the writer—who, we are asked to believe, was anonymous—being to show how two parties, the Petrines and Paulines, bitterly antagonistic during the lifetime of their leaders, became reconciled on the death of these latter; the monument of their *entente cordiale* is the little book called the *πραξεις αποστολων*, or 'Acts of Apostles.'<sup>2</sup>

Another coterie of critics<sup>3</sup> see in the Acts a sort of

<sup>1</sup> See *Programme of the Modernists*, p. 64.

<sup>2</sup> *Schneckenbruger über den Zweck der Apostelgeschichte*.

<sup>3</sup> Zeller, Overbeck, Renan, Pfleiderer, Holtzmann.



political pamphlet, avowedly apologetic and tending to prove that Christianity is outside of and indifferent to all kinds of government. Roman imperialism suits it as well as any other form of State influence; the Roman governors and officials are shown to act with impartiality and justice. St. Paul is defended in the face of accusations made against him by the Jews, and this before a Roman tribunal. If, however, the Acts of the Apostles has entered the furnace of criticism and remained there a good while, it has come forth not only unscathed but, on the admission of the critics themselves, worthy of all reverence as an authentic record of facts. The Catholic standpoint has never yielded an inch, while that of the critics has receded several. The greater the depth and extent of researches made on the book the more has the truth of its contents come into prominence.

In six cases, where the narrative is found in contact with profane history; in eight, where we can control the history given in the Acts by Jewish contemporary history; in twelve, where it touches on facts in the history of St. Paul mentioned by the latter in his Epistles—in all twenty-six cases, with one exception, on which there is still room for discussion, the narrative of the Acts undergoes creditably the test of this triple comparison.<sup>1</sup>

These conclusions were held pretty generally in critical circles from the year 1893. In 1902 a remarkable work<sup>2</sup> was issued by the Cambridge Press, in which it was shown, with great skill and judgment, how the discourses attributed to St. Paul in the Acts reflected exactly and in most delicate details the teaching of the great Apostle. Harnack's work<sup>3</sup> on the Acts in 1906 may be regarded as the culminating point in the retreat to the traditional view. Luke, the physician, is the author of the third Gospel as well as of the Acts; the companion of St. Paul, the author of the 'we' passages is the author of the whole book. Sir

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<sup>1</sup> Godet, *Introd. au N.T.* Neuchatel, 1893.

<sup>2</sup> Bernard, *The Credibility of the Book of the Acts of the Apostles.* Cambridge, 1902.

<sup>3</sup> *Lukas der Arzt der Verfasser des dritten Evangel. u. der Apostelgeschichte.* Leipsig, 1906.

W. Ramsay's books<sup>1</sup> have also given unequivocal testimony to the conservative view. They represent many years of laborious travel and study in Asia Minor ; as books of travel they are of absorbing interest, and as scholarly and exhaustive treatment of questions intimately connected with the sources of St. Paul's history they are invaluable. In the case of an apostle like St. Paul there is doctrine not only in what he says, but also in what he does and where he goes ; we want every detail of the life of such a man, and it is the marvellous research in questions of locality, journeys, and peoples that render Sir W. Ramsay's works so valuable. Here, then, is confirmation given to views traditionally held by the Church, by an acknowledged explorer and scholar, who is also an independent critic. The evidence of such a man in the eyes of Catholic scholars is like the evidence given to miracles by physicians, whose religious views can be in no way said to prejudice them in favour of the Catholic religion.

While general questions such as authorship, and general historical value of the Acts of the Apostles may be said to be laid to rest, there are many episodes within the book which are still regarded as debatable and to which the critics are unwilling to assent. One of these is the narrative given in three different places of the book of the conversion of Saul of Tarsus. It is but natural that such a momentous event should be called into question.

After the resurrection of our Lord there is no event in the beginnings of Christianity so well attested, so marvellous in its circumstances, so fertile in results both for the chief actor in the scene and for Christianity, as the episode of St. Paul's conversion on the road to Damascus.<sup>2</sup> Catholic scholars have always seen in this wonderful event the birthday, all at once, of a Christian, an apostle, and a saint. Saul rises from the ground, enriched with a new life, a spiritual life, as truly as Lazarus comes forth

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<sup>1</sup> Ramsay, *The Church in Roman Empire ; The Churches of Asia Minor*, etc.

<sup>2</sup> Considered from a purely historical point of view the conversion of St. Paul means for the spread of Christianity the advance of a hundred years. *Die Bekehrung des heil. Paulus*, E. Moske. Münster, 1907.

from his grave to a new corporal existence. The origin of life in both instances is the same, save that in Saul's case Christ has already entered into glory.

While Catholics maintain that this apparition of Christ to St. Paul is the starting point in his Apostolic career, the primary, but not by any means the only source of Christ's revelation to him—for his visions of and intercourse with Christ ended only with his martyrdom—critics of the independent school are at pains either to deny the historical value of the narrative altogether, basing their denial on discrepancies in the different passages of the Acts; or, if compelled to admit a change of a marked and unmistakable character in Saul of Tarsus, to attribute this change to natural causes. Of these vagaries we shall speak presently. Catholic scholars, however, do not wish to be understood as holding that St. Paul's previous life was utterly without influence on his Apostolate.

No doubt they will not admit that St. Paul's Greek-Jewish education caused him to transfer to Christianity the rites he found existing in pagan cults. They will not take Lietzmann's view of the sixth chapter to the Romans to the effect that 'we ought to consider the concept of the death and resurrection of the neophyte as a Greek possession of which the Gentile-Christian community availed itself to exalt the signification of Baptism. Paul has adopted this theory. . . .'<sup>1</sup> To Catholic scholars such a commentary as this smacks of development in a bad sense; to them such remarks are fashionable (these being the days of development in everything), ingenious and original—though in this case Lietzmann borrows from Holtzmann—but otherwise uninteresting, and on the whole negligible vagaries. If they will not lend an ear to such extravagance they nevertheless maintain that St. Paul's early life and surroundings, all that helped to furnish his mind and combined to fashion his rich and complex character, are most worthy of careful research. For neither grace nor the charism of inspiration suppresses individuality. The

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<sup>1</sup> Lietzmann, *An die Römer*, p. 31. For further examples of this perversion of St. Paul's doctrine see Battifol, *Theol. Positive*.



hagiographer is no mere lifeless instrument : he is a man who feels and thinks, and ' his thoughts cannot fail to colour the revelation which penetrates them as the surrounding medium colours the luminous ray which traverses it.'

Thus St. Mark's Gospel does not resemble St. John's : even in a translation the individuality of the author is apparent in each. Hence no study of St. Paul's doctrine is complete which omits an examination of his early life and education. A man's way of thinking is largely influenced by the surroundings of his youth ; thence comes his language, that marvellous instrument of mental activity. It is in such surroundings, too, that a man becomes heir to the patrimony of thought more or less rich, which was elaborated before his time and which goes to constitute his mental temperament, as race and climate and other conditions unite to form his physical state: The youthful Napoleon becoming unconsciously the heir of the French Revolution might be cited as an illustration. Education sometimes strengthens, sometimes modifies the impressions of early youth. Divine inspiration does not eliminate them, for grace, far from suppressing nature, rather elevates and transforms it.

We have St. Jerome's<sup>1</sup> authority for stating that St. Paul was born in Giscala of Galilee, so that the thirteenth Apostle was also a Galilean. This view is defended by Krenkel,<sup>2</sup> on the ground that St. Paul's description of himself as ' Hebrew of the Hebrews,' indicates a Palestinian origin. The Apostle's own explicit statement<sup>3</sup> that ' he was born in Tarsus, no mean city,' has decided modern commentators, Catholics as well as Rationalists, to consider Tarsus at the birth-place of St. Paul. Here he remained till about his thirteenth year. Tarsus, the capital of Cilicia, was highly favoured by Rome ; it was exempt from taxation, a free port, and was one of the most flourishing marts of Eastern commerce. It possessed a Roman stadium, a gymnasium, and one of the three great uni-

<sup>1</sup> Hieronym. Tom. iv., *de viris illustr.* v.

<sup>2</sup> Krenkel, *Paulus der Apostel.* Leipsig, 1869.

<sup>3</sup> Acts xxii. 3.

versities of the pagan world, ranking next to Athens and Alexandria in literary fame. It was a great centre for philosophic discussion, and its schools of rhetoric were a sort of training college for the tutors of the great. Here was trained Augustus's tutor, Athenodorus the Stoic; hence issued also the teacher of Marcellus and Tiberius. Learning was a lucrative commodity in Tarsus, and its situation, open to the Mediterranean by the navigable river Cydnus, and to the towns of the Asiatic peninsula by two important roads, gave to its population a cosmopolitan character.

It was in such a *milieu* that Saul received his first impression of men and things. Tarsus might be called a kind of university city. It was not, however, in the schools of rhetoric, from which the stern Phariseeism of his father excluded him, but rather in the university life that Saul received his training. His schooling confined him to the reading of the Scriptures in Greek, the Greek of the Septuagint which the Jews of the Disapora studied. His Greek is not, therefore, the classic language of the schools, but rather a blend of the Septuagint Greek with the *κοινή* of the Levantine shores.<sup>1</sup> His learning is not that of books. A study of his metaphors shows how neither the fair natural panorama around Tarsus nor the fanciful imagery of poets attracted him. Some maintain that the infirmity of his eyes accounts for his apparent callousness to the splendours of nature; others, with more probability, trace this characteristic to the bent of his genius which led him to study man. 'The proper study of mankind is man' never had a more literal fulfilment than in Paul of Tarsus. The psychological analysis of human nature as

<sup>1</sup> Hence a knowledge of classical Greek is not so helpful as might be expected in the interpretation of St. Paul's writings. The text cited before the Areopagus *του γὰρ καὶ γένος ἐσμὲν* is from Aratus (*Phen.* ii. 429). It also occurs in Cleathe Hymn to Jupiter, 5. The quotation (1<sup>st</sup> Cor. xv. 33), *φθείρουσιν ἡθὴ χρηστὰ ὁμιλίας κακαί* (where *χρηστα* instead of *χρησθ'*) shows his unfamiliarity with Iambic verse, is from the Thais of Menander: lastly, the satirical note, *κῆρτες αἰὲ ψεύσται, κακὰθῆρία, γαστέρες ἀργαί* (Tit. i. 12), is from the Oracles of Epimenides or Callimachus Hymn to Jupiter, and has all the smack of a saying that would be current when the Cretans were the subject of conversation.

he witnessed it was his peculiar domain, and hence his mental imagery, unlike that of Jesus, is not taken from the fields and face of nature ;<sup>1</sup> where we cannot trace it to the Old Testament we may find its source in the Synagogue, or the household, in the grand palaces or temples, the monuments of human genius ; or if it is borrowed out of doors, in the agora, the stadium, or the Grecian seaport. St. Paul's language contains numbers of what the great exegete, St. Jerome, calls ' Cilicisms,' which goes to prove that his Greek is a reflex of the conversational and commercial language in use during the first century throughout Asia Minor. Weight has been given to this view by the studies of Deismann, who has shown<sup>2</sup> that a number of words which were believed to be exclusively Biblical were in currency at this epoch, and were employed in inscriptions and papyri of the time. St. Paul's language is, as a result of his early training, lively, full of striking imagery, picturesque, but blemished, if it may be said, by the absence of strict grammatical construction, and, as often happens in conversational language, by the too abrupt intrusion of one thought on the heels of another. A beautiful appreciation of St. Paul's style is given by M. A. Sabatier, in his work on St. Paul<sup>3</sup> :—

Never was better verified the celebrated definition : *Le style c'est l'homme*. The language of Paul is his living image. As the body of the Apostle, ' the potter's vessel,' bends under the weight of his ministry, so the words and forms of his language bend and break under the weight of his thought. But from this contrast result the most marvellous effects. In this weakness what power ! What riches in this poverty ! In this weak body what a soul of fire ! The whole fire, movement and beauty are here derived from the thought. It is not the style which carries the thought, it is this latter which carries the style. The thought advances over-burdened, panting for breath, weighed down, dragging the words after it. . . . Words and their ordinary

<sup>1</sup> Howson, *Metaphors of St. Paul*. London, 1883.

<sup>2</sup> Deismann, *Neue Bibel-Studien*. Berlin, 1897.

The three classical quotations in St. Paul's Epistles are no argument against this view, for they are proverbial expressions, and curiously enough occur in more than one author.

<sup>3</sup> Sabatier, *L'Apôtre Paul*. Paris, 1896.



signification were unequal to bear the superabundant plenitude of ideas. Each word has been obliged, so to speak, to take a double or triple charge of meaning. In a preposition or in the juxtaposition of two terms Paul has lodged a whole world of ideas. This is what renders the exegesis of his Epistles so difficult and their translation absolutely impossible.<sup>1</sup>

If it be asked what is to be thought on the whole of St. Paul's Tarsian education, it is to be said that it made him a citizen of the world; if he is a Jew of the Diaspora he is also a Hellene—not a classic Hellene, but flavoured in temperament and sympathy with that broader Hellenism which marks the efforts of Greece towards a sort of Eastern imperialism which characterized the history of Greece during the first century of the Christian era. He remains a Hebrew all the time, but if you interpret him purely as a Hebrew and nothing more, as Harnack seems to do, you leave, as it were, half his mind unexplored. Providence seems to have had a hand in delivering St. Paul from the Hellenism of the classical period, and making him heir to a less delicate instrument; his Greek is hardier, more practical, and more commonplace than that of the classics, and therefore more influential and more suitable for the destiny of a *Weltapostel*, 'preaching the Gospel to every creature.' I think the Hellenistic training of St. Paul is very apparent in the Epistles to the Corinthians. He is all things to all men at Corinth, because he is a Greek to the Greeks. He has got into the Corinthian thought; he knows all about the people; he is conversant with the base trend of their worship, he knows their trade, their *metiers*, their games. Hence he writes Corinthian to them, and every word is a picture to them. Will anyone deny that this *Weltanschauung* does not owe much of its efficacy to his early training as a Tarsian Hellene? If it be said that the Eastern cities of St. Paul's day were Roman, it must

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<sup>1</sup> This is the view of an independent critic, for which, however, he cannot claim originality. St. Paul's style was characterized in somewhat similar terms of eulogy centuries ago by St. John Chrysostom, St. Jerome and St. Augustine. St. Philip Neri has almost the same thought as that expressed so eloquently by M. Sabatier, as to the world of meaning attaching to single words in St. Paul's Epistles.

be remembered that the rôle of Rome's imperial policy was conquest and organization—Rome did not de-Hellenize, so to speak, the cities of the East. She was content with a well-organized population, and let people live their own way and think their own way, and pay their taxes.

The testimony [as to St. Paul's Hellenic tone in his Epistles, says Sir W. Ramsay] which struck me most of all was the opinion expressed by two of the most learned Jews of modern time with whom I happened to be talking more than ten years ago in the house of one of them. The conversation chanced to turn on Paul, and on the letters attributed to him. They were both perfectly certain that none of the Pauline letters could be genuine *because there is much in them which no Jew could write*. They were scholars whose opinion on any matter connected with Judaism in the early Christian centuries stands very high in the estimation of the whole world. They knew old Jewish feeling from the inside with an intimacy which no Western scholar can ever attain to. They appreciated the non-Jewish element intermingled in the writings of Paul. They rightly recognised that no pure Jew could write like that; but instead of inferring that Paul was a not mere Jew in education and mind, they inferred that Paul being (as is commonly assumed and maintained by modern scholars) a pure and narrow Jew could not have written these letters.

This Hellenic tone is discernible throughout St. Paul's discourses and Epistles in his fondness for dialectics; nowhere, as all exegetes, Catholic as well as Rationalist, admit, is the Apostle more at home than in a long drawn-out argument, where the ideas lie on the top of one another like beds in a geological formation, the main thought running through all the while, now appearing, now seemingly lost to reappear again, as a denser vein of precious ore is found on deeper digging.

From Tarsus the parents of Saul brought the future Apostle to the Holy City to complete his education. While the Man-God was advancing in age, wisdom and grace in Nazareth, he who was first to persecute the Nazarene, and afterwards to wish himself an anathema for the name of Jesus, was seated at 'the feet of Gamaliel.' Destined for the profession of scribe young Saul was introduced to

Jewish culture in all its branches; for the scribe was by turns advocate, magistrate, and juris-consult. Two great schools then existed at Jerusalem, that of Hillel, embodying a narrow, and that of Schammai a broad and liberal interpretation of the law. The differences between these schools were, however, practically confined to minute points. Gamaliel, the teacher of St. Paul, was then head of the Hillel school. He was a type of the ideal Pharisee. The 'Mishnah' says of him: 'Since his death respect for the law no longer exists; the purity of the law is dead with him.' The instruction given in such a school while exclusively religious, was not exclusively Biblical; no doubt the Sacred Scriptures were the chief objects of study, and thence morality, positive law, and sacred history were learned. Besides this, however, there was a body of Jewish traditional doctrine to be acquired. The school was good as far as it went; it fulfilled the end of its existence; the teaching was thorough of its kind, for our Saviour, the implacable enemy of Phariseeism, admonishes His disciples to follow the lessons of the Pharisees, but not to be guided by their examples.

If Tarsus gave St. Paul a knowledge of the Scriptures in Septuagint Greek, Jerusalem afforded a wider grasp of the same literature in Hebrew. If Tarsus tended to widen his sympathies, the atmosphere of Jerusalem, and especially his Jewish training here, narrowed him down to the odious mental servitude which Phariseeism involved. The school of Hillel developed self-love, presumption, and pride, a man being thereby tempted to believe that he was the creator of his own justice; it also fostered hypocrisy in that the ideal was high while the means of attaining to it were utterly inadequate. Hence, to an ardent spirit like that of St. Paul, Phariseeism was just the creed to make of him a fanatic, compensating by a brutal intolerance the miseries of his soul. If he held the clothes of St. Stephen's executioners, it was because he was too young to be judge or witness; but his ideas were as 'bloody, bold, and resolute' as those of the executioners. And this attitude was not born of wickedness, but resulted from the strong convictions of a deeply religious character. His Greek education



as son of the Diaspora, his Jewish training as disciple of Gamaliel, combined with genuine thoroughness of his strong manly nature to make of him a capable agent for the spread of Judaism among the heathen. He was burning with zeal for the Law and for the honour of his God; not from self-interest, like most of the Pharisees, but from a profound conviction of the truth and godliness of the Law did he attack Christianity.<sup>1</sup>

‘And I made progress,’ he says, mindful of his persecuting days, ‘in the Jews’ religion above many of my equals, being more exceedingly zealous for the tradition of my Fathers.’<sup>2</sup>

What he was, he was completely. His was, in the full sense of the term, a religious nature, which allowed itself to be led singly and exclusively by the truth once made known to it. And for this truth he strove with the full strength of his personality without any consideration for himself or others. As long as Jesus seemed to him the enemy of the law, so long was he willing, with all the means that lay at his disposal, to labour for the annihilation of this presumed foe. But when on his conversion he arrived at the knowledge of his false zeal, and a new aim was offered to him in the Gospel, he wished to know no longer anything else save Christ crucified, he felt it a necessity of his being, his most sacred duty to live for the Gospel, and consume himself in its service. In a word he was the hero of his convictions. By the groundwork of his character (*seiner Charackteranlage nach*) he was a born apostle, for whom Providence had merely to substitute the absolute truth of the Gospel for his Pharisaical truth ideal, and thereby to make it (the Gospel) the goal of his energy.

The colossal extent of the Apostle’s labours is the outcome, in part, of the strength of his character. ‘He laboured more than all the other Apostles together.’ ‘A wicked fellow,’ said Dr. Johnson one day, ‘is the most pious when he takes to it. He’ll beat you all at piety.’ Wicked, St. Paul can scarcely be said to have ever been, fanatical and intolerably cruel he certainly was. The

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<sup>1</sup> Koller, *Über den Geist, die Lehre u. das Leben des Apos. Paulus*. Darmstadt, 1835.

<sup>2</sup> Gal. i. 14.

words he himself uses of this period of his life, though they embody sentiments of repentance, are indicative of an organized system of tyranny towards the Christians, in which he seems to out-Herod Herod, so to say.<sup>1</sup> But when Christ takes possession of this great heart and mind we find the genius of St. Paul so immersed in the work of his Master, that, more than the other Apostles, he develops the universal idea of the Gospel; that Christ came not for the healing of one nation or people, but that His mission is for all nations, Greek and Roman and barbarian as well as Jew, and for bond-man as well as the free.

While the rage of a fanatic tortured Saul, the little Church at Jerusalem was absorbed in prayer and the doctrine of the Apostles,<sup>2</sup> and the Gospel seemed still bound to the ancient worship and the legal regime.<sup>3</sup> From the storm of persecution many members of the Christian community had sought refuge in the surrounding cities. The old city of Samaria received some, others made their way to distant Damascus, to be as far away as possible from the growing terror. To this city, the metropolis of Syria, probably because of its importance as a centre for the growth of Christian influence, Saul, as yet breathing out threatenings and slaughter against the disciples of the Lord,<sup>4</sup> directed his steps, armed with a commission from the high priest, probably Caiphas, to seek out in the synagogues of Damascus the secret disciples of Jesus, and to bring them all, without distinction of age or sex, before the Sanhedrin at Jerusalem. The immediate occasion of this fanatical outburst was the report spread by the enemies of St. Stephen, to the effect that this latter had foretold the ruin of the Temple, and the change of customs and traditions looked upon by the Jews as their sacred patrimony coming down from Moses. The first flame of this fire of indignation was the sacrifice of St. Stephen, the second the journey of St. Paul to Damascus.

<sup>1</sup> ἐλυμῖνεται, Acts viii. 3; ἐδίωκον . . . ἐπορβοῦν, Acts ix. 21, and Gal. i. 13-23.

<sup>2</sup> Acts ii. 42.

<sup>3</sup> Père Rose, *Etudes sur S. Paul*.

<sup>4</sup> Acts ix. 1.

Saul left Jerusalem as the persecutor of Christ, but as such he was not destined to enter Damascus.<sup>1</sup> As he came near the scene of his intended violence, he was surrounded by a heavenly light, under the influence of which he fell to the ground, and a voice cried to him the well-known words, 'Saul, Saul, why persecutest thou Me? It is hard for thee to kick against the goad.' He knew not who it was who addressed him, but it was evident to him that he had to deal with one who was more than man. Accordingly he cried, 'Who art Thou, Lord?' and to his bewilderment the answer came, 'I am Jesus whom thou persecutest.'<sup>2</sup> From this moment is Saul's opposition to Jesus at an end. In humble submissiveness he asks what he must do, and the answer is given him that he must go to Damascus, where further instructions shall be given him; but immediately he is made an Apostle, and his mission is marked out for him. As a blind man Saul rises from the ground and must be led by his soldier companion to Damascus. In this state he remained three days without taking food or drink. But Christ who had struck him down, and had him feel His might, did not desert him. In a vision Ananias, a Jewish convert of Damascus, was told that he need not trouble himself about the report of an immediate persecution. He was to seek out Saul, to cure him of his blindness which had left its victim for three days in darkness, and to make him a member of the Christian community by administering Baptism.

In the first of the three passages which relate the history of St. Paul's conversion (Acts ix. 1-18) St. Luke gives the incident in the form of an historical narrative; the other two are defences of the Apostle made by himself before the Jews in Jerusalem (Acts xxii.), and before Festus and Agrippa in Cæsarea. These speeches were, as a rule, long; certainly they lasted longer than three minutes in which any person might recite the longer of the two, that given in chapter twenty-two of the Acts. Hence it is rightly concluded by many Catholic commentators that these speeches as

<sup>1</sup> The date of the Damascus journey is usually held to be A.D. 34.

<sup>2</sup> Acts xxvi. 16-18.



reported by St. Luke are no more than summaries of the Apostle's actual addresses (*nur skizzenhafte Reproduktionen*).<sup>1</sup> The point is all important in the consideration of the views of those critics who reject St. Luke's narrative on the ground of differences between it and the speeches of St. Paul. As in the case of the resurrection of Jesus Christ the critics have exhausted their energies in their efforts to place one testimony against another. On the admission of all, however, the three passages are in agreement on all points of importance. The occasion, the place, the hour of the occurrence, the blinding brilliancy of the light in which the caravan was suddenly enveloped, the dialogue between Saul, prostrate on the ground, and the mysterious voice, the temporary blindness, the baptism, the healing of the eyes, the completely new direction from the ways of persecution to that of strict discipleship and Apostolate of Jesus, are the same in all three narratives. The representations of events in each case is clear and simple, free from rhetorical ornament, and thereby highly dramatic. The three narratives, when one reads them without prejudice leave the impression of a plain recital of what really happened; and to deny the historicity of the whole event on account of the differences (of details) would be, as Warneck remarks, to say the least, very frivolous criticism.<sup>2</sup> And here it is well to remark that minute points of details are scrutinised with a view to destroy the authenticity of a cardinal event in the history of a great man, which, as Père Prat says, one would blush to bring into any prominence in the work of a profane historian—'circumstances outside the fact itself, and concerning only the impressions made on the companions of the principal actor, impressions necessarily subjective and perhaps different.'<sup>3</sup> However, among the independent critics may be found a goodly number of names who agree with Warneck's view quoted above, and the tendency is more and more towards the Catholic view.

<sup>1</sup> Moske, p. 4.

<sup>2</sup> Warneck, *Pauli Bekerung im Beweis des Glaubens*.

<sup>3</sup> Père Prat, S.J., *La Théol. de S. Paul*. Paris, 1908.

These differences [says a prominent critic<sup>1</sup>] cannot in any fashion contradict the reality of the fact. If we should succeed perfectly in reconciling them, or even if they did not exist at all, those who do not wish to admit miracles would be equally decisive in rejecting the testimony of the Acts. As Zeller admits frankly, their negation is connected with a philosophic connection of things, the discussion of which does not enter into the framework of historical research.<sup>2</sup>

The autobiographical details which St. Paul gives in the Epistle to the Galatians are a strong confirmation of

<sup>1</sup> Sabatier, *L'Apôtre Paul*, p. 42. So also Ramsay.

<sup>2</sup> There are four discrepancies in the passages of the Acts. They are not irreconcilable. According to one narrative Saul's companions heard the voice, Acts ix. 7. Whereas in Acts xxii. 9 these same people are represented as not hearing this voice. The explanation given by many exegetes of the conservative school rests on the difference of cases dependent on the verb ἀκούειν. ἀκούετε τῆς φωνῆς (gen.), Acts ix. 7, means that the companions perceived the sound of the voice without understanding it; τὴν φωνὴν οὐκ ᾔκουσαν τοῦ λαλοῦντος μοι (accusative), Acts xxii. 9, means they did not understand the voice of him who spoke to me (while they perceived the sound). So König, Bretschneider, Belser. However this view does not commend itself to many critics and to more modern Catholic scholars; the use of ἀκούειν throughout St. Luke writings means to perceive by the sense of hearing, and this whether used with gen. or acc. cases. Père Rose says of this very justly: 'In the narrative (chap. ix.) the contrast between hearing the voice and not seeing anyone is not established by itself; it is given as the cause of the bewilderment of the soldiers. They are astonished because they perceived a voice without there being any person there. According to the discourses St. Paul would wish to bring into relief that he alone heard Christ, that the revelation was addressed to him alone. His companions are introduced as witnesses of a marvellous fact, the exterior phenomenon, that, viz., of a blinding light, which they perceived. The dialogue between Christ and St. Paul escaped them.'—Rose, *Les Actes*, p. 83.

In Acts ix. 7 they see *nobody*; in Acts xxii. 9 they see a *light*. There is no difficulty here because a person is one thing and a light is another.

In Acts ix. 7 they stand; in Acts xxvi. 14 they fall to the ground. εἰστήκεισαν ἐννεοί does not necessarily mean that they *stood*, but that they *were* overpowered with fear, for εἰστήκειναι is commonly enough used in the meaning of εἶναι in the New Testament (Felten, Cornely, Knabenbauer), hence we may translate Acts ix. 7, 'they were and they remained beside themselves for fear.'

Lastly it is objected that the words of Jesus are different in the different passages. If taken literally they are different, but the sense is the same.

What any honest reader who, without prejudice, reads these different passages must see is this, that St. Luke wishes to show that the events on the journey to Damascus were different to Saul from what they were to the soldiers. To the soldiers the events meant a marvellously strong light and mysterious sounds, for Saul they were a vision of Jesus and an actual revelation. The different grades of perception on the part of Saul and that of the solidiers are clearly marked.

the reality of Christ's appearing and revealing to His Apostle His Gospel. In the first chapter of the Epistle he defends the Gospel which he has announced to the Galatians, and the Apostolate in virtue of which he has ministered among them, on the ground that his Gospel is not after man: 'for I neither received it of man, neither was I taught it, but by the revelation of Jesus Christ.' As a reason for his thesis he reviews for the Galatians the story of his life as a Pharisee, his bitter zeal against Christianity which lasted till God revealed His Son in him. When he received his Gospel from Christ he conferred 'not with flesh and blood,' he did not turn his steps to Jerusalem where the Apostolic college was, but, as he says, 'I went into Arabia.'<sup>1</sup> From these details what other conclusion is left to the Galatians than that Paul got his Gospel, the doctrine of salvation through Christ, direct from Christ? He surely could not learn it while he was persecuting the Christians. It is also worthy of note that the Galatians knew St. Paul's life, and therefore, if he rehearses these incidents for them, it is not mere history he wishes to teach them, but rather the grounds of moral certitude as to the truth of his Gospel. But did Saul really see Christ? Catholic scholars have no doubt about this. It is clear from the Acts that he did. And the Apostle's explicit expressions: 'Am not I an apostle? Am not I free? Have not I seen Jesus Christ our Lord?';<sup>2</sup> and again, speaking of the risen Christ,—no mere phantom of St. Paul's mind, if words have meaning:—'And He was seen by Cephas . . . and last of all He was seen also by me, as by one born out of due time.'<sup>3</sup> Both *εώρακα* and *ᾤφθην* cannot be taken to imply anything else save a real corporeal appearance of Christ. So clear are these testimonies to some of the critics that Weber admits, 'Paul rightly understood and Luke rightly understood do not contradict one another; but they complete one another so as to make the most perfect harmony.'<sup>4</sup> How, in the face of such explicit statements as those given above, Abbé Loisy can maintain

<sup>1</sup> Gal. i. 17.    <sup>2</sup> 1 Cor. ix. 1.    <sup>3</sup> 1 Cor. xv. 5-8.    <sup>4</sup> *Linzer-theolog-prakt. Quartalschrift*, 1901.



that St. Paul never saw Christ, and that Paulinism—at least the redemption dogma—is not Christianity at all, but the manufacture of St. Paul's brain, is not easy to understand. But some of the Modernists are worse than the professed Rationalists in dealing with St. Paul.

The independent critics have laboured hard for now more than a century to explain the Damascus journey by natural causes. They failed to attend to the fact that if they explained away the miracle of the apparition of Christ the conversion of Saul, another miracle in the moral order, remained for the display of their energy. The oldest solution was that which substituted for the appearance of Christ in brilliant light to Saul, a violent thunderstorm;<sup>1</sup> this latter physical phenomenon was not the cause but the occasion of evoking from Saul's inner conscience the conviction which already lay hidden there, that, after all, Jesus, whom he was persecuting, was the Messias! The theory, with very slight modifications, counted a great galaxy of German Rationalists in the end of the eighteenth and the beginning of the nineteenth centuries. Of these phantasies Cornely remarks: 'Maxima credulitate ornatus sit oportet qui ineptias has deglutire velit.'

Another venerable theory was the trance-hypothesis of Bahrdt, and Venturini,<sup>2</sup> according to which Jesus did not really die on the Cross, but fell into a trance, was subsequently secretly delivered by Joseph of Arimathea from His enemies, and lived quietly in a little valley outside Jersusalem. On hearing of Saul's ravages in Jerusalem, Christ, through Nicodemus, secures a meeting with Saul on his way to Damascus, and arranged that the future Apostle would look after the interest of the Christian community!

These old theories remind one of the weapons of the Napoleonic wars; and like these latter they are now regarded as the obsolete blunderbusses of critical warfare, historical curios that have had their day. Naturally the sharpshooters of more modern times have sought other,

<sup>1</sup> *Gewitterhypothese*, Eckerman, Eichhorn, etc.

<sup>2</sup> *Die Natürlichkeitserklärung unter Voraussetzung des Scheintodes Jesu*, Venturini.

and, to their thinking, more effective arms. None were clearer on the futility of the above theories than the critics themselves. Landerer, speaking in 1860, at the grave of the founder of the Tübingen school, said<sup>1</sup>: 'Baur, who has passed his life in his endeavour to eliminate miracles from the Gospel, confesses that the conversion of Paul resists all analysis, historical, logical, or psychological. In maintaining this miracle, Baur lets them all stand. His life has been a failure.'

Holsten engaged to succeed where Baur and his school had failed. What is called the *subjective-vision theory* owes its origin to Holsten; at least he is admittedly its ablest exponent; as followers he can reckon a large number of eminent men, among them Krenkel, Hilgenfeld, Pfeiderer, Weissäcker, and Jülicher.

Like a sensible man Holsten explains his theory by prefacing it with a definition of 'vision.' 'Vision,' he says, 'is the beholding of a definitely formed . . . picture in the field of vision with the sense of an objectively real figure, without the real objectivity of this figure' ('das schauen einer bestimmt geformten . . . Bildes im Sehfelde mit der Sinnlichkeit einer objektiv wirklichen Gestalt ohne die wirkliche Objektivität dieser Gestalt'). Holsten goes on then to explain how, on the occasion of a vision, normal seeing and hearing come to a stand-still; the operations of the external world on the senses cease; the senses then communicate with the brain, and a picture is produced which is wholly interior, and which represents the object with which the mind was hitherto actively engaged. The visionary, then, against his will, projects this picture into the external world, and what already existed only in the mind of the visionary appears as a natural phenomenon. Now apply this to the Damascus journey, and you have the whole riddle solved at once. If you find it difficult to apply it to the narrative in the Acts, or to the statements made by St. Paul himself in his Epistles, you must attribute your difficulty to the absence of the critical faculty.

<sup>1</sup> Holsten, 'Die Christusvision des Paulus n. die Genesis des paulin. Evang.' (*Zeitschrift für Wissensch. Theol.*, 1861, pp. 223-284).

Those who make use of this theory may be divided into two classes. The first comprehends such as belong to the school of pure Immanence. For them the narrative of the Acts reads this way : Saul took the vision already existing in his mind for a real apparition of Christ ; he did so under a set of favourable circumstances which naturally led up to the result. God had no part whatever in the affair. The picture of Christ was evolved from Saul's inner consciousness by Saul himself.<sup>1</sup>

The second class, which comprehends some who would call themselves Catholics, applies the same theory but says that God and not Saul himself evolved the picture of Christ (*transzendenten Eingriff*). These latter, as will easily be seen, apply the very same principles here as elsewhere. All religion to them is founded on the *besoin*, or need, which each feels within himself : the answer made by God to this is such as cannot be regulated by hard dogmatism—it is purely subjective.

Now, if it is asked where did Saul get the ground-work of this picture, or what evidence have we for the basis of such a theory in the life of St. Paul ; such a question again evidences a sad want of critical acumen. For to the critics the whole working out of the problem is comparatively easy.

Saul, you must know, had all along strong practical doubts about his religious state. He experienced pricks of conscience (*gewissensbisse*). He asked himself : 'Is Christ right after all ? Is He,—this Nazarene—the Messiah ? Perhaps, after all, He is ; and therefore I am wrong.' And in such a doubtful state Saul witnessed the martyrdom of St. Stephen. This made his doubts more practical, his conscience stings more poignant. It was in this frame of mind he set out for Damascus. The heat of

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<sup>1</sup> So Ziegler, one of this school, writes : 'The appearance of the Crucified on the way to Damascus is nothing more than the sensible brightness, the imaginary form resulting from an interior struggle which was now decided, and out of which the appearance of the Son of Man arose in the heart of him who was now at peace with himself.'—Ziegler, *Paulus der Apostel*. So also Ramsay (*Pauline and other Studies*, New York, 1906) says that the conversion of Paul was 'the culmination of a change that had been gradually working itself out in his mind.'



the desert, the fatigue of the journey, the whole circumstances that preceded it, worked on his nervous constitution with the result that he fell into a sort of ecstatic stupor, and then the vision took place. But you may say to the critics that this is pure imagination. The Saul of history is no man of practical doubts about the righteousness of the Law, but a zealot, a convinced fanatic, if ever there was one. Where, then, is the evidence for this theory? If the critics replied with Shylock, and said, 'I'll not answer that, but say 'tis my humour,' they would be reasonable, and we could follow them; but instead of this they tell us to read the Acts attentively, and pay particular attention to the little phrase where the voice—which according to them, Saul mistook for that of Christ—was heard to say, 'It is hard for thee to kick against the goad.'<sup>1</sup> This, to the critics, applies to Saul's past life, and means nothing else than a whole chain of conscience stings, which culminated in a vision! Here, then, from the statements of the critics, we have a complete *exposé* of their method. They make bold assumptions; they deliberately read their own meaning into the Scripture; they deck their theories with the tricks of style; they are born artists at this, masters, like Renan, of a *style séduisant*, and so they take the unwary.

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<sup>1</sup> This phrase is a proverbial one; as such it occurs in Æschylus, Euripides and Pindar; it is also found in Terence. As Christ spoke to Saul in Aramaic it must be understood that the latter in his speech before Agrippa gives this as the equivalent of Christ's expression to him. The proverb is taken from the driving of oxen by a goad. It is true that some Catholic writers (Beelen, Salmeron) interpret the phrase as referring to possible misgivings in Saul's heart as to his persecution of the Christians, but the modern Catholic opinion (Knabenbauer, Rose), and even many among the Rationalists admit it has no reference to Paul's past conduct, but simply means that there is no use in Saul's striving to resist the goad ('Saul, Saul, why persecutest thou Me?') applied to him by Christ; he must relinquish all thoughts of entering Damascus in the rôle of a persecutor. This view seems to me to harmonise better with the context as well as with what we know of St. Paul's previous life, both from himself and from his companion St. Luke. The question as to St. Paul's knowledge of Christ before his conversion is discussed with great learning by Wabnitz in the *Revue de Théol.* (de Montauban), 1905, pp. 385-437. The author maintains that St. Paul did know Christ, and bases his thesis chiefly on the sense of *εὐωκῆμαι* in 2 Cor. v. 16. The view has never found favour with Catholic interpreters. The most they allow is that he may have known the Nazarene in some vague manner, as a wonder worker, or more probably, as a pretender to Messianic dignity rightly condemned and executed by the Sanhedrin.

But Catholic scholars are not slow to lay bare the artifices of such people. 'They argue,' says a shrewd commentator, 'from what, to them, seems possible to what is probable; from the probable to the certain, from the certain to the actual. Such reasoning is only found within the doors of an asylum.' This is very hard; but the critics themselves are not less outspoken. Luthhardt<sup>1</sup> says of this subjective-vision theory that the upholders of it ask us to believe harder things than Luke himself. 'From such a change of life,' says this same critic, 'we know quite well whether the event was a real occurrence or a dream.'<sup>2</sup> The conversion of St. Paul, his subsequent career, his own explicit statements have always been enough for Catholics; they have therefore always consistently held that the apparition was real.

A few thoughts that are relevant to the present hour suggest themselves in concluding this little study. The Catholic Church has always made a deep examination of every feature in the life and character of St. Paul. She has seen the development of his character under various influences, but for her the greatest of these has been the grace of God. 'By the grace of God I am what I am,' was St. Paul's own summing up of his life and the Church has always insisted on this preponderating influence. While never for a moment doubting this; while consistently maintaining the reality of the vision vouchsafed by Christ to St. Paul near Damascus as the foundation of the Apostle's wonderful career, Catholic scholars have never underrated the share which the circumstances of St. Paul's training and formation had in rendering him an instrument exquisitely adapted for his universal mission. For Catholic scholars St. Paul's education is a means, but in comparison with his direct intercourse with Christ a very subordinate one, availed of by Providence to make St. Paul the "Doctor Gentium." According to the critics, the Apostle's training and preparation account for everything; the

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<sup>1</sup> Luthhardt, *Christlieb*, 561.

<sup>2</sup> It is worthy of note, too, that Harnack's insistence on the certainty of St. Luke being a physician is altogether in favour of this view.

Damascus vision, and those subsequent to it, lose their transcendent influence; the character and doctrine of St. Paul are the result of a quite natural process of evolution and development. True to their principles, those whom we have classed, under a purposely general heading, as independent critics, have interpreted St. Paul according to their own sweet will: some have made him a Greek philosopher; others see no more than the Jewish element in him; others, again, have called him the great theologian of antiquity. Ah, me! the word 'theologian'! To the Modernists the word implies something very different from the ordinary acceptation of the term. St. Paul is a theologian if you will, that is, a hair-splitting Alexandrine, whose early rabbinical training made him just the man to frame doctrines, to systematize a theology; call this latter Paulinism if you will, but you must not call it Christianity! There is Modernism for you!

These theories, whether of the Rationalists or the Modernists, may be said to bear the trade mark 'Made in Germany;' but the manufacture is not recent; they are the legitimate consequences of the principles of Biblical interpretation originated at the period of the so-called Reformation. The more modern developments are, of course, strongly flavoured with the philosophy of Kant. Is there any difference, then, between the Modernists and the Rationalists? The Modernists themselves see a wide abyss separating them from rationalism; but it must be added that to judge by their writings, it is only the Modernists themselves who see the said abyss. To my thinking, I speak as the man in the street, the Rationalists are the honester folk of the two. They set out to eliminate the supernatural from the Scriptures, and apply their theories in a bold fashion that is clear to all; while the Modernists apply the same principles and are almost equally destructive, but their object, we are asked to believe, is to save the Church; they wish to scrape off the barnacles from the barque of Peter, and they sink it in the process!

The Church, therefore, is strong, stern, and decided in her stand against the critics of the independent school.



She has no fear of them. Some indeed who are outside the Church, but who withal take a grandmotherly interest in her welfare, are pathetically solicitous about her future. The Church has seen the rise and fall of heresies as well as empires ; she lets the nations rage and the people meditate vain things, conscious all the while that she is, according to one of the boldest figures of St. Paul, ' the body of Christ ; ' and that as such her energy, her power, her life, are derived from the head which is Christ.

E. J. CULLEN, C.M.

## MODERN JUDAISM

RECENTLY, a rabbi visited a Jesuit theologate in the South of England. In the chapel he noted the devotion of students, who had entered to pray ; and he was not unmindful that those prayers were addressed to One born of a Jewess. But the students noted the reverence of the rabbi ; though at the same time, it seemed hard and strange that the veil of the Tabernacle and still more the veil of prejudice and misunderstanding should separate His kinsman from the Messiah.

In his own synagogue, and standing on the *Almemar*, that is, the *Alminbar*, an Arabic word for the means of speech, but here indicating the pulpit, or reader's platform in the centre of the hall, the rabbi would look towards the east end, where marble steps lead to the *Hekal*, or temple, sometimes called the *Kodesh*, or sanctuary. Beyond the *Ner Tamid*, or perpetual light, and the candlesticks, hangs a curtain, drawn back when the doors behind it must be opened. And within is the Ark to hold the *Sepher-Torah*, or Book of the Law. The central object of the synagogue is that volume of the Pentateuch, written with lampblack ink on specially prepared sheepskin or calfskin. Very solemn is the moment when the rabbi or the reader takes the scroll from the Ark, and when, as he raises it, he and the congregation repeat in Hebrew, 'Hear, Israel, my Lord our God, my Lord is One.'

None in the synagogue would dare pronounce the Sacred Name, for which they substitute the word we render 'my Lord.' They proclaim indeed the Revelation of Mount Sinai, but conceal the Name which is both its token and the pledge of God's constancy in the covenant with Israel. In the Christian or Messianic service, on the other hand, the most solemn moment is the elevation of the Living Word, whose last passover witnessed the Revelation of Mount Sion.

The year of the new covenant was the thirtieth of our era, for then, according to St. John, the 14th of Nisan fell upon a Friday ; and to it we must go back to understand the position of Modern Judaism. To the Temple, then standing, Messiah was to come, as Malachi had said. He came, and was unknown of most. But those who received Him achieved the aspirations of Israel in completing the work of Temple and Synagogue. True Israelites they were ; and now they carried out among the nations the message which made Jerusalem a blessing to the world. Whatever opposition they met was in great measure produced by the hatred of those Israelites, who read their national traditions through the letter of the law and a network of custom. From the year 30 to the destruction of the Temple in the year 70, the conflict grew ever more keen between these two, the Church of the Messiah and the Synagogue of the Pharisees. From the year 70 to the destruction of the city in the year 135, the struggle continued, and became a tyranny on the part of the Synagogue, when rabbi Akiba and the false Messiah Bar-Kokba, ' Son of a Star,' found the Christians would not join in the revolt.

Hadrian, the emperor, laid waste Jerusalem, and planted a pagan city on its site, the Jews being forbidden to approach the place again. Since then, the claim to represent the ancient Israel has unceasingly been made by these two—the Church formed of those who received the Messiah and fulfil the ancient prophecies by the admission of the nations to the Revealed Religion, and the Synagogue formed of those who deny the Messiah and refuse to enlarge their national limits. At Tiberias in Galilee, as already at Nisibis in Mesopotamia and at Nehardea in Babylonia, the Synagogue found a home ; and it was in Palestine, about A.D. 180, that rabbi Judah the Prince, like his great contemporary, St. Irenæus, collected the traditions of the elders. This oral law of the Synagogue, the *Mishnah*, or repetition, being taught by repetition, became the textbook of the schools in Palestine and Babylonia ; and with the Old Testament Canon recognized by ancient Pharisees and modern Protestants, together with the *Targumin*, or



Aramaic interpretations of the Hebrew text, it formed their main literature.

The Mishnah is in six *Seders*, or orders. The first is called *Zeraim*, or seeds, and deals with prayer and agriculture. The second is the *Moad*, or festival. The third is *Nashim* or women, and explains the law of vows and marriages. The fourth, *Nezikin*, or damages, is occupied with civil and criminal law, and includes the one Mishnah tract on ethics, *Pirke Aboth*, the sayings of the Fathers, the traditional utterances of great rabbis, from Simon the Just, who died in 291 B.C., to rabbi Judah himself. The fifth *Seder*, describing the Temple and sacrifices, deals with *Kodashim* or holy things. The sixth is *Tohoroth*, or purifications. Besides the Mishnah, we find the *Tosefta*, or addition, and the *Baraita*, or external, two collections like the Mishnah.

After the Mishnah had been compiled, the *Amoraim*, or speakers, came forward to interpret it. These doctors produced two large commentaries, each known as a *Gemara* or doctrine. The Palestinian, committed to writing about A.D. 350, is smaller, more condensed, and generally less intelligible than the Babylonian, completed about A.D. 550, and still the authoritative rule for most teachers of Modern Judaism. The Mishnah and the Gemara taken together constitute the *Talmud*, or the teaching; and therefore when the Talmud is quoted, it is important to know not only whether the reference is to the Palestinian or Babylonian work, but also whether it is to the Mishnah or Gemara portion, for the difference between the Mishnah, the Palestinian Gemara, and the Babylonian Gemara as historical witnesses may be measured by centuries.

If Modern Judaism represents the ancient school of the Pharisees, it also has seen Sadducees arise. There are graduated positions between the two strong parties; but overlooking the compromises, we note the Orthodox or Pharisaic Jew on the one side, and the Reformed or Sadducean on the other. The real source of this reform movement may be found in the principle of rabbi Moses ben Maimon, better known as Maimonides. This man,

who was compared with the ancient legislator, and of whom many said that from Moses to Moses there had been none like Moses, sought to show that Judaism was the true expression of human reason. To prove his statement he spiritualized and rationalized so freely that those who dared carry his method further, reduced the religion to one of natural reason. He himself, however, was orthodox, and when his commentary on the Mishnah was completed in 1165, it was found to contain thirteen articles of belief, the *Ikkarim*, roots or fundamentals, the principles, which have been accepted as almost the official creed of Modern Judaism.

The faithful Jew, repeating these, professes that he believes them with perfect faith ; and they assert :—

1. The Creator, blessed be His Name, is Creator and Governor of all things that are created, and He alone made and makes and will make all things that are made.

2. The Creator, blessed be His Name, is One ; and there is no Oneness in any way like His ; and He alone was, is and will be our God.

3. The Creator, blessed be His Name, is not a body ; and the relations of the body do not relate to Him ; and He has no likeness at all.

4. The Creator, blessed be His Name, is First and is Last.

5. The Creator, blessed be His Name, alone is worthy to be prayed, and none is worthy to be prayed except Him.

Then we come more explicitly to the Jewish Revelation.

6. All the words of the prophets are truth.

7. The prophecy of Moses our teacher, the peace be upon him, was truthfulness ; and he was chief of the prophets, of those preceding him and of those coming after him.

8. All the Law, the Commandment now in our hands, is that given to Moses our teacher, the peace be upon him.

9. This Law will not be changed ; and there will not be another Law from the Creator, blessed be His Name.

10. The Creator, blessed be His Name, knows every deed of the sons of man and all their devisings, as it is said, He who alone forms their heart, is He who attends to all their doings.

11. The Creator, blessed be His Name, requites good to those who keep His commandments and punishes those who transgress His commandments.

The concluding articles deal with the Last Things. In these the Israelite says :—

12. I believe with perfect faith in the coming of the Messiah ; and though He is delayed, none the less I will wait for Him every day till He come.

13. I believe with perfect faith that there will be a revival of the dead at the time when it shall be willed by the Creator, blessed be His Name ; and the remembrance of Him shall be exalted for ever and to the end of ends.

But the step which really set Liberal or Reformed Judaism on the path of Sadducean rationalism, was taken by Moses Mendelssohn, who lived from 1729 to 1786 when the fashion of the eighteenth century and its pride in natural reason were infecting Modern Judaism. As Friedlander, in his popular work on the *Jewish Religion* (page 17), translates him, Mendelssohn recognized no other eternal truths than those which are not only comprehensible to the human mind, but also demonstrable by human powers. Judaism, he said, has no revealed religion, in the sense in which Christianity has. Laws and rules for conduct in life were revealed to Moses in a supernatural way ; but, he added, no doctrines, no saving truth, and no general laws of logic.

The two pillars of Judaism—the belief in the Revelation of God to Moses and the expectation of the Messiah—still upheld a positive faith in the supernatural. But for the last hundred years, the reformers, more fatal to Judaism than Alexandrian mysticism, Arabian philosophy, or German Idealism, have been shaking them. Early in 1800, some Jews in Holland rejected the Talmud ; but their design to assemble a congress of Jews the following year at Luneville proved a failure. In 1815, however, Jacob Jacobson introduced the Reform into Berlin, and shocked the orthodox by simplified ritual, services in German, lay-preaching and the rite of confirmation. Later, towards the middle of the century, the reformers wished to reject not only the laws as to food and fasting, but even the institutions of circumcision and sabbath. Then, in October, 1847, Cahen wrote in the *Archives israélites*



(page 801), that so far as the Jews were concerned, the Messiah came on February 28, 1790, with the Declaration of the Rights of Man. Henceforward the reformers speak quite frankly in regard to the Messiah; and it has been truly said of them, that they retain belief in the unity of God and in His promise to place Israel at the head of the nations; but, according to them, the Messianic prophecies must be explained by the Revolution of 1789, and the emancipation of the Jews. Messiah, they will have it, is the whole race marching to the conquest of the peoples. In a similar mood, some American Jews have avowed the United States to be their Holy Land and the American Revolution their Messiah.

The belief in God remained, but even this was threatened with rejection. In his *Coup d'œil sur l'histoire du peuple juif* (page 20), Darmesteter wrote:—

Suppress all those miracles and all those practices, yet behind all those suppressions and all those ruins, remain the two great dogmas that, since the prophets, entirely constitute Judaism, the Divine Unity and Messianism, that is to say, unity of law in the world, and on the earth triumph of justice and humanity. These are the two dogmas which, at the present hour, enlighten humanity on its march in the scientific order and in the social, and which are named in modern language, the one the unity of forces, and the other the belief in progress.

And now, it is frankly confessed by Schechter in his *Studies in Judaism*, (page 183),

Things have advanced so far that well-meaning but ill-advised writers even think to render a service to Judaism by declaring it to be a kind of enlightened Hedonism, or rather a moderate Epicureanism.

Then, at the present moment, and in regard to the Messianic hope of ancient Israel, the Catholic Church inherits the position of those Jews who accepted our Lord as the Messiah and admitted the nations to the Kingdom of God. Modern Judaism stands for the Jews, nationalist in politics and pharisee in religion, who refused our Lord. And Reformed Judaism represents Sadducean rationalism

and unbelief. Therefore, since the Church is Israel become universal, and Reformed Judaism tends to apostasy, Modern Judaism is the title proper to those alone who have tried to maintain their national forms to the present day. The work has never been easy, and daily it grows more difficult. On the one hand, the Liberal or Reform movement troubles the old, shakes the faith of the strong, and fills the young with a spirit of restlessness. Then a weariness of the disputes and an indifference to the historical traditions together with the difficulty of keeping the sabbath combine to empty the synagogues. The *Univers israélite* for August, 1906 (page 590), confessed that the old Jewish life is crumbling little by little in contact with modern civilization. 'The ancient monument,' it is said, 'is already only a ruin which still preserves some majesty. Soon the very ruins will fall into dust. And it will require an effort of archæological erudition to reconstitute it for future generations.' Zionism itself, in its method of forming Jewish colonies in Palestine as a refuge from the Antisemitism of Europe, illustrates the secular spirit of many Jews. At their congress in Basle, during August, 1897, there was only one man who dared to urge belief in the Messiah, and to demand a religious basis for their enterprise. In the previous month, the committee of the German rabbis had denounced that very attempt to create a Jewish national State in Palestine as hostile to the Messianic promises, contained in Holy Scripture. But their protest was in vain. How deeply the spirit of secularism has penetrated even the heart of Jewry may be suspected from the number and character of Jews in ethical societies, and from the fact that one synagogue a few years ago was represented by a deputy, well known as vice-president of a secular society in its neighbourhood. Indeed, a synagogue trustee once asked me to prove there is a God.

But if there are the three claimants to the inheritance of ancient Israel—the Reformed Jews denying a personal Messiah, the Catholic Church announcing that He has already come, and the Modern Jews still hoping for Him,

these last are losing numbers not only to the negative side but also to the positive, to Christians as well as to Secularists. No doubt, the positive movement, in acquiring something definite, is more difficult than one which simply releases what has been held. But the real difficulty is not what the modern Jew imagines it to be. Of course, he must learn that Christians do not worship three Gods. Then he must find that the agreement of rationalist Protestants with rationalist Jews does not disprove the doctrines of the Faith. He must next realize that his becoming a Christian does not deprive him of anything Israelite. Law and prophets, sacrifices and hopes are here fulfilled. He surrenders nothing in attaining all. There will, of course, be the difficulty every convert must meet in the loss of friends, the change of surroundings, and the loneliness of a stranger among a strange people. But the new life is worth harder trials, as we can learn from many a Jew. Theodore Ratisbonne, for example, had lost all hope of the Messiah ; but anxious to know the meaning of life, he lived like a stoic, sought the Masonic secret, and became a sceptic through the books of Locke, Volney, Bolingbroke, Rousseau, and Voltaire. Led by the influence of the Catholic Bautain to become a good Israelite, he began to understand Christianity as the completion of Israel's religion. Though the avowal meant separation from his father, and involved many a suffering, he endured, and endured to pray for twenty years till our Lady's appearance to his brother Alphonse, on January 28, 1842, restored another Jew to the Commonwealth of Messianic, that is, of Christian Israel.

Others, who have not become Christians themselves, have yet obtained baptism for their children.

In 1898 [as Paul Bernard wrote in the *Etudes*, page 234, on the 20th of July, 1907,] the University of Strassburg included no less than 12 Jews among the professors. None of them resolved to join a Christian body, but all without exception caused their children to be baptized. Besides, this example comes from the higher classes ; and the orthodox Jews express some irritation when they are reminded that one of their most



zealous members, Crémieux, the president of the *Alliance israélite universelle*, caused his own children to be baptized in a Catholic church.

Of course, we must deduct those cases in which Jews have obtained baptism for themselves or their children to further their worldly interests, and those cases in which Jews, with or even without a nominal adoption of Christianity, have sought position in Christian organizations. Indeed, it was only last year, 1907, that Mr. Romain, elected church-warden of St. Botolph Without in Bishopsgate, London, raised the question as to the right of Jews to hold such a position in the Anglican sect. But it would be unjust to the ethical value of a Jewish training to assume that Neander and Palgrave, Margoliouth, and Chwolson abandoned Judaism to find preferment; nor will anyone suppose that Edersheim became a Christian for the sake of his unhappy experience at Loders in Dorset. No doubt, many families are lost to Judaism through mixed marriages, the children generally becoming Christians. Therefore, though Modern Judaism has always condemned merely civil marriages, and though the Sanhedrin of 1807 officially recognized mixed marriages as valid, yet the *Univers israélite*, in May, 1906, confessed it necessary to recognize a civil marriage among Israelites as less regrettable than a mixed marriage. But the number increases. In Prussia, for example, there were 228 mixed unions out of 2,618 Jewish marriages in 1880. In the year 1905, there were 507 out of 3,054.

It is difficult to determine the number of conversions, though Jean de Le Roy has shown there were at least a quarter of a million in the last century; and of these it is said that 58,000 became Catholics, 73,000 became Protestants, 75,000 became Greek schismatics, the rest joining various smaller bodies. But it is the tendency to increase which is so remarkable in the statistics. Early in the last century, from 1815 to 1845, there were not 4,000 conversions in all Prussia; but from 1880 to 1905, there were more than 3,000 in Berlin alone. And if we compare the

last two decades of the last century, the earlier discloses 2,655 conversions of German Jews and the later 4,490.

Standing between natural reason and the Christian Revelation, Modern Judaism loses members to the one or to the other. So it makes little progress in numbers. Even though the Jewish statistics naturally include many who do not practise the Jewish religion, the increase compares unfavourably with the prolific nature of the Semitic race. As Wright pointed out in his lectures on the *Comparative Grammar of the Semitic Languages* (page 8), the nomad population of Central Arabia was, in the earliest times, incessantly overstepping its bounds in every direction, and planting itself in Syria, Babylonia, Oman or Yaman.

Successive layers of emigrants, said he, would drive their predecessors in Syria and Babylonia farther northwards towards the borders of Kurdistan and Armenia, and thus the whole of Mesopotamia would be gradually semitised, and even portions of Africa would in the course of time more or less completely share the same fate. This process, he added, has often been repeated in more recent, historical times, in which the Arab migration has overflowed the whole of Syria and Mesopotamia.

If we accept the suggestion mentioned by Oesterley and Box, in their *Religion and Worship of the Synagogue* (pages 9 and 99), we may find another illustration in the Ashkenazic Jews, so named from Ashkenaz, son of Gomer, whose name was identified with that of the Germans. This great community is said to have consisted originally of Galileans, deported to the lower Rhine by Hadrian, and overflowing into Austria, Hungary, Poland, and Central Europe. Spain, identified with the Sepharad of Obadiah, saw its Sephardic Jews overflow into Provence, Italy, North Africa, and Turkey, and that independently of the expulsion from Spain in 1492. Careful of family relations, they have increased, overpassed their territorial limits, and penetrated the Gentile world. Therefore, when Joseph of Portugal had, on November 8, 1776, ordered all his subjects of Jewish descent to wear yellow hats, his minister Pombal appeared the next day with three yellow

hats under his arm, one for himself, one for the Grand Inquisitor, and one for the King.

But none the less the number of modern Jews does not keep pace with the natural increase of their families. This is ascertainable, because some Berlin Jews, in May, 1902, formed a society to collect statistics of their race. Now the year 1905 found the number of Jews in the world to be 11,081,000, but 1907 counted only 11,059,987; and though we accept Rosenbaum's calculation that Leeds and Manchester together were formerly overrated by 10,000, yet Glasgow was underrated by 1,000, and no allowance for errors will remove the impression that Modern Judaism is by no means progressive in numbers.

It is not a little remarkable that Judaism presents an analogy to Anglicanism. Within itself it holds some in sympathy with the Catholic mission of Israel and valuing its order of sacrifice and sacraments. To-day, and under the influence of the historical school in Modern Judaism, such persons have removed the centre of authority from the Bible; and to solve the contradictions in the Talmud, they have transferred it to a living body represented, according to Schechter's *Studies in Judaism* (page xxi.), 'by the collective conscience of Catholic Israel as embodied in the Universal Synagogue.' But Catholic Israel is more than the Synagogue; and its infallible judgments have been pronounced in the name of Jehovah by the power of His Holy Spirit through the voice of those who have succeeded to the throne of Israel's chief Apostle. Then there are those also, whose sympathies are more with what they imagine the religion to have been before the development of traditions. But besides these parties, high and low, there are the broad and liberal members, who surrender all that distinguishes Judaism from a Unitarian or Ethical philosophy, and defend their own consistency of thought and honesty of action by representing the ancient religion as the contrary of its own claims. Externally, too, there is a resemblance, for Judaism, like Anglicanism, is a national corporation, attempting to hold a position between the Catholic Church and the individual-



ism of private judgments and personal opinions. But the pathos of Judaism is the greater, for it feels itself designed to become a universal kingdom, and yet cherishes all that limits it. It would find its true parallel in an acorn, if this could pray for the fulfilment of its life's purpose, and at the same time refuse to burst its envelope.

To preserve the ancient character of the theocracy, at once fully national and fully religious, is impossible now that the first part of Osee's prophecy (iii. 4), has been fulfilled. If we may amend our present Hebrew text by the ancient Greek translation, we can translate the prophet's words to Northern Israel in this form :—

For during many days Israel's sons shall remain ;  
There will be no king, and there will be no prince ;  
And there will be no sacrifice, and there will be no altar.

So to-day a *Cohen*, or priest, has little to do. When the Law of Moses is read in the synagogue, he will be called to read the first three verses. When a first-born is a boy, the synagogue service for his redemption requires that a priest bless the child and receive the five shekels, that is, fifteen shillings. And on the festivals, a priest may be asked to pronounce the priestly blessing as it is appointed in the Book of Numbers (v. 24-26), the Sacred Name, however, being replaced by the Hebrew word for 'my Lord.'

My Lord will bless thee :  
And He will keep thee.

My Lord will brighten His Face to thee :  
And He will favour thee.

My Lord will lift His Face to thee :  
And He will set peace for thee.

Nor has a rabbi any real power. Strictly speaking, he is a lawyer, a scribe, one versed in the law of Judaism, and an adept in deciding cases of conscience according to the moral theology of the Talmud. But the title is commonly given to him who reads the synagogue prayers and is properly known as the *Hazzan*, seer, or overseer. The real

direction of the synagogue is in the hands of two wardens, the one being called the *Parnas*, president, and the other the *Gabbai*, treasurer. The former acts as master of ceremonies, seldom surrendering that office except to one whose son is a *Bar-mitzwah*, a son of the commandment, having attained his thirteenth year, and reading the Law for the first time.

An essential change in the whole system was made by Napoleon. Since Modern Judaism existed by its refusal to absorb the nations, the nations would absorb Modern Judaism. To organize it was, therefore, the first step. On May 13, 1806, Napoleon summoned Jews from France Italy, and Holland ; and in August these drew up a declaration no ancient Pharisee would have signed. Their religion, they said, ordered them to regard the law of the prince as supreme in civil and political matters. Consequently, they added, should their religious code or the interpretations of it involve civil or political dispositions not in harmony with the French Code, they themselves would cease to be ruled by such Jewish regulations, since they ought above all to recognize the law of the prince and to obey him. It was a repetition of the cry : ' We have no king but Cæsar.' Yet now it was urged by the self-contradiction in their position, for they were not only a universal kingdom that insisted on being national, but they were also a nation without a capital or a territory.

Napoleon seized the opportunity, and named the assembly the Grand Sanhedrin. In the following year, a rabbinate was appointed and organized, though, as some one has pointed out, the rabbis have never been and could not be the ministers of the Old Testament. In 1808, Napoleon interfered still more in the religion of Modern Judaism. He founded consistories, nominated rabbis, regulated other synagogue affairs, and sanctioned the resolutions of his Grand Sanhedrin. But to further his real purpose, he ordered that each Jew should take a fore-name and a family name from other sources than the Old Testament. Some years later, on February 8, 1831, the liberal government of Louis Philippe appointed a State

salary for the rabbis. The next step followed on May 25, 1844, when a royal order gave Modern Judaism a civil constitution. The new regulations placed the Jewish religion under the Christian Minister of Public Worship. As the elder Ratisbonne showed in *La Question Juive* (page 19), the Jewish laymen, who formed the central consistory at Paris, could be dissolved by a Government order; and then the rule of the synagogues would be entrusted by the State minister to a provisory administration. But even under normal conditions, the departmental consistories were obliged to render account to the prefects. More remarkable still was the development, when the next year applied the order to the Jews in Algeria, then under military rule; and so Modern Judaism found itself subject to a Gentile Minister for War. But now, no Maccabee arose.

Even this position has not proved permanent. By the French Separation Law, the State separated itself from the Synagogue as well as from the Church; and now, as Nordau wrote in the *Jewish Chronicle*, the official façade of French Judaism has collapsed; and it is disclosed in all its pitiful weakness and decrepitude. Not 3,000 of the 70,000 Jews in Paris have even joined the new 'Central Union of Jews in France.' Elsewhere, also, the falling away of Jews from Modern Judaism is evidenced by the fact that there are only 622 synagogue seatholders out of 4,000 Jews in Birmingham, 61 out of 850 in Bristol, 10 out of 103 in Chatham, 61 out of 400 in Cork, perhaps 200 out of 2,700 in Dublin, not 700 out of 7,500 in Glasgow, about 2,000 out of 23,000 in Manchester, 16 out of 17 residents and 23 students in Oxford, 80 seatholders and 20 other members out of 800 in Belfast. It is impossible to speak with any certainty of Leeds, but it does not seem there are 1,000 seatholders out of 15,000 Jews. And in Eastern London itself, the 44 synagogues forming the Federation have not an average attendance of 108 members each. Indeed, very many Jews have little more connexion with the synagogue than an annual attendance on *Yom Kippur*, the Day of Atonement, to lament their sins.



On the other hand, the position of Modern Judaism among the nations does not improve. Having made the great refusal to fulfil its mission in their regard it seems like Jonah, an unwilling missionary, now in the hollow of the wave and now in that of the sea-monster, and like itself in olden days when it was swallowed by Babylon. It may boast of some successful financiers and statesmen; and it may rejoice when Jews receive such important offices as Governor Hughes of New York conferred on some in gratitude for their support during his election. But none the less, it must acknowledge, with the editor of the *Jewish Year-Book* (page 471), published in September, 1907, that

so far from lifting, the clouds have descended in ever-thickening gloom. It is no exaggeration [he asserts] to say that in this twentieth century the condition of the majority of Jews presents a picture of abject misery such as even the worst periods of the Middle Ages could not have exceeded. With the whole of Eastern Europe bent upon their extermination or expulsion, and the civilized countries of the West less inclined than ever to receive them, the outlook for the time being seems almost hopeless.

Various causes are suggested to explain the hostility of the nations against Modern Judaism. Like Pharaoh in the Book of Exodus (i. 9) some complain that

the people of Israel's sons are too many and too strong for us.

Like Haman in the Book of Esther (iii. 8), others urge against the Jews that

Their laws are diverse from every people;  
And they do not keep the king's laws.

And besides such protests against their rivalry and polity, we can still hear the charge made by Juvenal about A.D. 127, in his fourteenth satire, that they lead others to adopt a hostile relation to the State, so that these

Having become accustomed to despise the Roman laws,  
Learn, observe and revere the Jewish rule,  
All that Moses delivered in his secret book.

The scorn of Tacitus also, expressed in his *Histories* (v. 5), and during the second decade of the second century, is still to be noted in the voice of those who complain of the Jew's aloofness in regard to marriage and social life, and denounce them as hating and hateful to patriotism. With blind vehemence the pagan Roman wrote of the Jewish religion :—

All the utterly depraved, scorning their ancestral worship, used to heap contributions and donations upon it ; and then the property of the Jews increased. And because their fidelity to one another is inflexible, charity is prompt. But against all others they entertain an enemy's hatred. Dining apart, and holding themselves aloof in regard to marriage, these clansmen, though most impetuous in licentiousness, yet refrain from wedding those of other race. Among themselves nothing is unlawful. They have instituted circumcision that they themselves may be recognized by the difference. Those perverted to their way of life practice this same custom ; but first of all, they are trained to belittle the gods, to divest themselves of patriotism, and to cheapen their parents, children and brothers.

If the Jews are also condemned because of their financial ability, Europe trained them, for English Jews had no resource except usury ; and the Ordinance of Valladolid, in 1412, not only excluded them from the markets of bread, wine, flour, oil, and butter, but also forbade them to become carpenters, tailors, or shoemakers. And though it is hardly credible, yet recent years have again heard the accusation of Ritual Murder, the killing of a Christian child in fulfilment of some rite. Sometimes it was said that this people, to whom blood is absolutely forbidden, used the child's blood in making the Passover cakes, Of this falsehood, Leroy-Beaulieu says in his *Israël chez les Nations*, that it cannot be traced beyond the year 1100. It was certainly condemned by Pope Gregory IX, in 1235, and by Pope Innocent IV in 1247. But when the Protestant Centuriators of Magdeburg were publishing their centuries of Church history at Basle from 1559 to 1574, their enmity against the Jews impelled them to allege that Pope Inno-

cent's condemnation of the calumny had been purchased. About two centuries later, the charge was again investigated; and Ganganelli, afterwards Pope Clement XIV, having examined the evidence carefully, declares the accusation a slander. That was in the year 1756, yet so recently as June 29, 1891, as Deutsch reminded us when he wrote on Anti-Semitism for the *Jewish Encyclopædia*, the Blood Accusation arose in connexion with the murder of a child, a Jewish butcher being arraigned, but acquitted.

The history of the race for eighteen centuries has been a tragedy of profound pathos and unfathomed meaning. When we have exhausted all natural means of explanation there is much remaining to be explained and implying agencies more than natural. There is more than an epigram in the story of the Prussian king, who asked his court chaplain to prove by one word that the Bible is true, and was answered, 'The Jews, Sire.' But, apart from that aspect of the matter, it is striking to see the Jews, in the second, as in the first century, invoking persecution upon their own, who had accepted the Messiah and were extending His kingdom. It was a full record that Tertullian summed in speaking of the Jews' synagogues as founts of persecutions, when he wrote his *Scorpiacum* (c. x.), about the year 210, against those Gnostics who held martyrdom of no account. At that time, the Jews persecuted to preserve their landless nationality, as they had previously slain the Messiah Himself, lest the Romans might take their place and nation. To-day, they suffer for the same ideal, since they have chosen it as the form of all their hopes, even to abandoning their universal mission and the New Covenant announced by Jeremiah. Said an eloquent rabbi, the Rev. B. J. Salomons, at Montefiore College in Ramsgate, April 5, 1908: ' . . . we form a nation within a nation in whatsoever land we pitch our tents. . . With few exceptions, we intermarry among ourselves, and thus maintain the purity of our race; and our internal laws and religious tenets tend to preserve the peculiar individuality of our people, which centuries of bitter persecution have proved ineffectual to crush.' And



still, on the second night of Passover, the long story of Israel's sufferings is repeated in the allegory from which we derive the nursery tale of the 'House that Jack built.' This folksong, known as the *Had Gadya*, the one kid, opens with the statement that God redeemed Israel with circumcision and the Passover, which are denoted by two zuzim, the zuz being the silver denarius or dinar, and worth about  $9\frac{1}{2}d$ .

The one kid, the one kid,  
Which the Father bought with two zuzim.  
The one kid, the one kid.

Then it tells of Egypt's oppression :—

And the cat came and ate the kid,  
Which the Father bought for two zuzim.  
The one kid, the one kid.

But the conclusion resumes all the ancient sorrows of Israel. Therefore as we read it, we may easily add the interpretation :—

And there came the Holy One, blessed be He,  
And He slaughtered the Angel of Death,  
That slaughtered the slaughterer, the Crusaders,  
That slaughtered the ox, the Saracens,  
That drank the water, the Romans,  
That quenched the fire, the Greeks,  
That burned the stick, the Persians,  
That beat the dog, the Babylonians,  
That bit the cat, the Egyptians,  
That ate the kid, the Israelites,  
That the Father bought for two zuzim.  
The one kid, the one kid.

The attitude of Modern Judaism is also revealed in the *Eighteen Benedictions*, known as the *Shemoneh Esreh*, eighteen, and more generally as the *Amidah*, because the congregation must stand during its repetition. The expression, 'Blessed art Thou, O Lord,' occurs in each paragraph; and of these there are really nineteen, for rabban Gamaliel of Jamnia authorized the insertion of a suffrage

against the kingdom of Israel's enemies. The whole *Amidah* occupies more than ten pages of the *Authorized Daily Prayer-book*; but, for the moment, it will be sufficient to consider the grounds on which the Chosen People bless the Lord their God. The first group of blessings contemplates the goodness of God. He remembers the pieties of the fathers, and brings a Redeemer to their sons' sons for His Name's sake in love. He also revives the dead, and is mighty to save. And again, He is the Holy God. Blessing Him six times, the second group pleads for individuals, that they may have knowledge, repentance, forgiveness, redemption from affliction, healing in sickness and the produce of the earth. The third group also blesses God six times, but pleads for the national kingdom. The Lord is besought to gather the dispersed Israelites, to restore His own sovereignty, to shatter His enemies' kingdom of insolence, to give a good reward to all who faithfully trust in His Name, to rebuild Jerusalem in our days that it may for ever be the place of David's throne, and to cause the sprout of David His servant speedily to sprout that His horn may be uplifted by God's salvation, for these who pray have waited all the day for that salvation. The last four regard the national worship, imploring now that these prayers be heard, now that the service be restored to the Most Holy Place, now that God will gather the exiles to His holy courts to keep His statutes and to do His will and to serve Him with a perfect heart, and lastly, that there may be peace upon Israel.

So the isolation of the people is assumed, their hopes are strictly national and their reading of the Law is essentially literal. But this is in full accord with the spirit of the ancient Pharisees. Thus Hillel, in the time of Herod the Great, would make a sandwich of Passover lamb, unleavened bread and bitter herbs; and rabbi Green, commenting on this in his *Revised Hagadah*, (page 57), says it is 'an example of the love for literality, which distinguished the rabbis and which was not too small even for the great mind of Hillel.' It had been commanded in Exodus (xii. 8), that the Israelites should eat the Passover lamb, unleavened bread

and bitter herbs. In doubt as to the order in which they ought to be eaten, Hillel satisfied his scruple by taking them all three at once. And Modern Judaism follows his example.

But perhaps the most essential element in Modern Judaism is its recitation of the *Shema*, or *Shemang*, as many Ashkenazim pronounce it. This word is the first in the great proclamation :—

Hear, Israel, my Lord our God, my Lord is One.

Then is added,

Blessed be His Name, the glory of His Kingdom is for ever and aye.

Afterwards, the passage from Deuteronomy vi. is continued :—

And thou shalt love my Lord thy God with all thy heart,  
And with all thy soul and with all thy might.

And these words, which I command thee this day, shall be on thy heart ;  
And thou shalt instil them into thy sons.

And thou shalt speak of them when thou dwellest in thy house ;  
And when thou walkest in the way, and when thou liest down,  
and when thou risest.

And thou shalt bind them for a sign on thy hands ;  
And they shall be for circlets between thy eyes.

And thou shalt write them on the doorposts of thy house,  
And in thy gates.

The second extract is taken from a later passage in the same book (xi. 13 to 21), the Jews as always substituting the word ' my Lord ' for the Sacred Name.

And it shall be, if indeed you hear my commandments,  
Which I command you to-day.



To love my Lord your God and to serve Him  
With all your heart and with all your soul.

And I will give you the rain of your land in its time, autumn-rain  
and spring-rain ;  
And thou shalt gather thy corn and thy wine and thy oil.

And I will give grass in thy field for thy cattle ;  
And thou shalt eat, and thou shalt be satisfied.

Heed yourselves, lest your heart be deceived,  
And you turn aside, and serve other gods, and worship them.

And the anger of my Lord shall burn against you ;  
And He shall shut the heavens, and there shall be no rain.

And the land shall not give her produce ;  
And you shall perish speedily off the good land, which my Lord  
gives you.

And you shall put these my words on your heart and on your  
soul ;  
And you shall bind them for a sign on your hand.

And they shall be for circlets between your eyes ;  
And you shall teach them to your sons.

To speak of them when thou dwellest in thy house,  
And when thou walkest by the way, and when thou liest down  
and when thou risest.

And thou shalt write them on the doorposts of thy house,  
And in thy gates,

That your days may be many, and your sons' days on the land  
Of which my Lord swore to your fathers He would give it them,  
Like the days of the heavens on the earth.

The final extract is taken from the Book of  
Numbers (xv. 37 to 41) :—

And my Lord said to Moses, saying,  
Speak to Israel's sons, and thou shalt say to them :

And they shall make for them a tassel on the corners of their  
garments for their generations ;  
And they shall put a blue cord on the tassel of the corner."

And it shall be to you for a tassel, and you shall see it ;  
 And you shall remember all the commandments of my Lord, and  
 do them.

And you shall not explore after your heart and after your eyes,  
 After which you stray.

That you may remember and do all my commandments ;  
 And you shall be holy to your God.

I am the Lord your God, who caused you to issue from the  
 land of Egypt,  
 That I might be to you for God.  
 I am the Lord your God.

Therefore, when praying the Jew wears a *talith* or stole, a shawl with a *tsitsith* or tassel fastened by a blue cord to each corner. Under his waistcoat also, and over breast and back, he generally wears a small garment, the *Arba Kanfoth*, or four corners, so-called because the tassels are attached to its four corners. To his doorpost, he fastens a *mezuzah*, literally a doorpost, but denoting a small tube containing the two *Shema* passages from Deuteronomy. Then, with two straps and two small boxes, all made from the skin of a legally clean animal, and sewn with threads from such an animal's veins, the Jew makes his *tephillin*, the word originally meaning ornaments, but now, as Friedlander says in his *Jewish Religion* (page 331), denoting things used during prayer. These are also called phylacteries, the name being derived from a Greek word meaning 'guards,' and used to translate the Hebrew for 'circlets.' The one box is called *Tephillah shel yad* or *Tephillah shel zeroa*, literally the prayer for the hand or the prayer for the arm. This is worn on the inside of the left arm, just above the elbow. The other, to be worn just above the forehead, is called *Tephillah shel rosh*, literally the prayer for the head. Each box contains parchment with the two *Shema* passages from Deuteronomy, and also the first sixteen verses from the thirteenth chapter of Exodus, in which Israel is commanded to sanctify the firstborn and

to keep the feast of unleavened bread, the purpose of the ordinances being explained by the words :—

And thou shalt tell thy son in that day, saying,  
Because of what the Lord did for me in the issuing from Egypt.  
And it shall be to thee for a sign on thy hand,  
And for a remembrance between thy eyes.

So clinging to the past, and dreaming of a future other than their own revelation foreshadowed, Israel may adopt what Arnold wrote of himself, in his *Stanzas from the Grande Chartreuse* :—

Wandering between two worlds, one dead,  
The other powerless to be born,  
With nowhere yet to rest my head,  
Like these, on earth I wait forlorn.

And Zangwill makes the pessimist of his *Chad Gadya* representative of latter-day 'Israel, the race that always ran to extremes, which, having been first in faith, was also first in scepticism.' Then he compares the Chosen People to 'an orphan wind, homeless, wailing about the lost places of the universe.' Surely there is no limit to the sorrow of it all. No wonder Moses and Paul would have surrendered their own hope of Heaven, for the sake of these their kinsmen; and One greater than Moses or Paul surrendered Heaven itself.

The festivals, however, suggest much. The first ten days of the autumn month, Tishri, are penitential, the first being *Rosh hashanah*, the head or beginning of the year according to the civil reckoning. This day is also called *Yom teruah*, day of shouting, for the *shofar* or horn is blown to proclaim the Day of Remembrance and the Day of Judgment. Then the Synagogue implores God to rend all the veils which make a separation this day between Him and His people Israel. During the Ten Days of Penitence, except on the sabbath, they repeat the prayer, 'Our Father our King,' which includes these expressions :—

Our Father our King, we sinned before Thee.  
Our Father our King, we have no king but Thee.  
Our Father our King, deal with us for Thy Name's sake.



And further on we read this :—

Our Father our King, bring us back in perfect return to Thee.

The tenth day is the great fast of *Yom Kippur*, the Day of Atonement, the services for that one day filling two volumes. Much time is occupied by the ancient history of Israel, the account of the Atonement Day in the Temple, and confessions, including one of

the sin which we sinned before Thee in the hardening of the heart

Five days later falls *Sukkoth*, or Tabernacles, when a booth is made to celebrate the fruit harvest and in memorial of the wilderness wanderings. To its eight days has been added *Simhath Torah*, the Rejoicing of the Law, when scrolls of the Written Word are taken from the Ark, and carried in procession round the synagogue, as the Blessed Sacrament of the Living Word is taken from the Tabernacle, and carried in procession round the church.

In winter, on the 25th of Kislew begins *Hanukkah*, the Dedication, or Festival of Lights, to celebrate the deliverance of Israel and the Dedication of the Temple by Judah the *Makkavah*, the Hammer, in 164 B.C. Near the street door for eight days are set lights, their number marking that of the evening. Before they are lit, it is said, 'Blessed art Thou, my Lord our God, King of the world, who wroughtest signs for our fathers in those days at this time.' But there is no mention of the sign the Bethlehem shepherds saw at such a season, nor of that thirty-three years later, when the Messiah, the Christ, the Anointed by God for the full deliverance of the world, was walking in the Temple in Solomon's Porch, and His people were seeking to stone Him.

With the springtime comes the Festival of Passover and unleavened bread. The head of each family then recalls the exodus, Israel's benefits and some great events which occurred at the Paschal time, yet omitting that most momentous for the people. But if they are still silent of the Crucifixion, yet they say :—

Our God and God of our fathers, may our remembrance

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ascend and come and reach and be seen and accepted and heard and visited and remembered, and our visitation and the remembrance of our fathers, and the remembrance of Messiah the Son of David Thy servant, and the remembrance of Jerusalem Thy Holy City, and the remembrance of all Thy people of Israel's house before Thee, for deliverance, goodness, grace, kindness, compassion, life and peace in this day of the Feast of the Unleavened Cakes.

Passover, on the 14th of Nisan, is connected with the early or barley harvest. A week of weeks later, the Feast of Weeks or Pentecost, fiftieth day from the second of Passover, marks the second or wheat harvest; but some time, apparently after our first century, it became the celebration of the Sinai Revelation. Then is read the Book of Ruth, probably because of its harvest reference, but suggesting a later episode in the history of Bethlehem as well as foreshadowing the reception of the Gentiles by the Church, which came forth from Jerusalem for the transcendent fulfilment of all the hopes in Modern Judaism.

GEO. S. HITCHCOCK, S.J.

## THE NEW LAW OF CLANDESTINITY

IT would appear to be hopeless to expect Protestants to judge the actions of the Catholic Church with that fairness which they claim for themselves and which they ordinarily show to others. An instance of gross unfairness towards the Catholic Church was furnished by Mr. Stead's comments in the April number of the *Review of Reviews* on the new marriage legislation. The present writer had said in an article in the *Month* for April, that henceforth clandestine marriages in England would not only be sinful, as heretofore, but moreover null and void before God, the Church, and in conscience. On this Mr. Stead remarks :—

To Protestants this appears to mean that a Catholic who wishes to ruin a girl has only to marry her in a registry office in order to be perfectly free before ' God, the Church, and his conscience,' to desert her as soon as he gets tired of her. Fortunately, the law of civilized States ignores the decrees of the Vatican. It would be quite as honest to say that if a man makes a contract by which he obtains possession of a valuable estate, the contract is null and void before God, the Church, and in conscience, if some technicality had been neglected in drawing up that contract. The law must take notice of technicalities, and a contract may be declared void from a strictly legal point of view ; but even the most rudimentary moral law regards the person who takes advantage of a technicality in order to defraud and swindle his neighbour as a scoundrel in the sight of God, the Church, and his conscience. And what is true about property is still more true when it concerns the whole life of a woman.<sup>1</sup>

If the new law appears to mean this to Protestants, all we can say is that Protestants are so hopelessly blinded by prejudice against the Church that they misjudge and misinterpret the most salutary and beneficial measures

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<sup>1</sup> *Review of Reviews*, April, p. 387.



which she adopts for the good of her children and of Society.

'A Catholic,' says Mr. Stead, 'who wishes to ruin a girl has only to marry her in a registry office in order to be perfectly free before God, the Church, and his conscience, to desert her as soon as he gets tired of her.'

The Church, of course, wants to make it impossible for anyone, be he Catholic or Protestant, to ruin Catholic girls. She acts on the principle that prevention is better than cure. She is not so much concerned with the possibility that a ruffian who has married a girl in a registry office with the intention of ruining and then deserting her, will, in fact, after thus marrying and ruining his victim subsequently abandon her. Probably the poor victim herself when she has found out her mistake will be as anxious to be rid of him as he is to desert her. The Catholic Church sees that it is but a sorry kindness to a woman who has made an unfortunate marriage to prevent the scoundrel who has deceived her from subsequently relieving her of his presence. She sees that the initial step is the cause of all the misery, and she applies herself to devise means to prevent the first false step. For centuries the Church has striven against unscrupulous scoundrels who wish to ruin women and then abandon them. With this object in view she made the law about banns in the thirteenth century, and subsequently she made stringent regulations by which those who wish to marry are obliged to prove to the satisfaction of her ministers that they are free to do so, and that no one has any prior claim on either of the spouses. After marriage she compels man and wife to live together, and does not readily permit them to separate. She will not hear of divorce and of another marriage when once a valid marriage has been consummated. Differing radically from Mr. Stead we say with sorrow, unfortunately, the law of civilized States ignores the decrees of the Vatican. Daily experience teaches the clergy how easy it is in spite of English law for a scoundrel to marry a woman in the registry office and then desert her. The boy in *Punch* who thought that

a sailor might have a wife in every port was only too precocious. It is quite common in our large towns for false addresses to be given to the registrar when notice of marriage is handed in. Very few if any inquiries seem to be made, it seems to be nobody's business to make them, and not unfrequently the officials are lamentably ignorant of the law. We have known an uncle to marry a niece in the registry office, and the registrar, good man, when his attention was called to it, was in complete ignorance that the case presented any difficulty whatever. Moreover, it is well known that there are large numbers of men and women living together in England as man and wife who have not even been through the form of a civil marriage. What that means for the poor woman in too many cases after the lapse of a few years is not a matter of mere conjecture. The stories told in our courts of law are quite sufficient to cast a lurid light on a very unpleasant page of English social life. Yes, unfortunately, the law of England concerning marriage, though founded on the law of the Church, in modern times ignores the decrees of the Vatican. Our social life would be sweeter and purer if it paid more attention to them.

The Catholic Church in order to safeguard her own children has made marriage before the registrar, without the presence of her own official witness, null and void. This should effectually prevent any Catholic from marrying in a registry office. If an unscrupulous scoundrel, Protestant or Catholic, proposes such a marriage to a Catholic girl with a view to ruining her, she will be able to say : ' You know very well that to me such a marriage is no marriage at all ; it would not be recognized as such by my Catholic friends, it is null and void before God, the Church, and in conscience. Are you really serious in proposing such a sinful and useless act to me ? I begin to suspect your intentions.' If she allows herself to be caught in the trap she is not much of a Catholic either from the point of view of morals or of belief.

Mr. Stead misrepresents and misinterprets the effect of the new law in another way. Henceforth clandestine

marriages of Catholics will be null and void before God, the Church, and in conscience. 'To Protestants,' says Mr. Stead, 'this appears to mean that a Catholic who wishes to ruin a girl has only to marry her in a registry office in order to be perfectly free before God, the Church, and his conscience, to desert her as soon as he gets tired of her.'

Mr. Stead and the Protestants who think with him on this point should really study a little logic. To a mind that has any sense of logic no such meaning as this can be got out of the new law. The marriage before the registrar is null and void, the parties are not man and wife in the eyes of the Catholic Church, and as the law on the point has been duly promulgated and is well known, both parties must be presumed to have been aware of the fact from the first. It means that and nothing more. By no sort of logic can it be tortured into the nonsense which Mr. Stead says it means to Protestants. There is simply no connection between the fact of the nullity of clandestine marriages and the monstrous idea that a man who has deceived and wronged a woman is perfectly free before God, the Church, and his conscience, to desert her as soon as he gets tired of her. One who has deceived and wronged another is bound in justice to make reparation for the injury he has done, and if the only way of making reparation to an injured woman is by marrying her, marry her he must, if it can be done, and if she will have him.

Mr. Stead tries to bolster up his illogical interpretation of the new marriage law by what he considers an apposite example.

It would be quite as honest [he says] to say that if a man makes a contract by which he obtains possession of a valuable estate, the contract is null and void before God, the Church, and in conscience, if some technicality had been neglected in drawing up that contract. The law must take notice of technicalities, and a contract may be declared void from a strictly legal point of view; but even the most rudimentary moral law regards the person who takes advantage of a technicality in order to defraud and swindle his neighbour as a scoundrel in the sight of God, the Church, and his conscience.



Mr. Stead's example is not to the point. There is no question here of a legal technicality of which one of the parties to a contract takes an unfair advantage. There is question only of a new law publicly promulgated, known to all parties concerned, which prescribes the substantial form for entering into a certain contract. If Mr. Stead wants a parallel case he should take the English law of Vendors and Purchasers of real estate. By English law real property can only be bought and sold by deed. A sale of a house by word of mouth is null and void before God, the State, and in conscience. Nobody but a fool or a madman would dream of buying or selling real property in England in any other way than by the formality of a deed. There might be a case where some technicality was left out in the drawing up of a deed, and a man who took an unfair advantage of such an omission would deserve all Mr. Stead's reprobation. But no man in his senses would omit the drawing up of the deed itself, and if he did he would not get possession of a valuable estate, and even if he did get possession of it no special injury would be done him by depriving him of it, since he had not bought it. Why does not Mr. Stead attack this English law? It is a precise parallel to the new Catholic law of clandestinity which he does attack. Both laws prescribe the substantial form of a certain kind of contract in order that that contract may be valid. The ecclesiastical law no more favours a scoundrel who snatches an unfair advantage from the accidental omission of a legal technicality than the civil law does. Mr. Stead attacks the ecclesiastical law because it is a decree of the Vatican, and he knows he has English prejudice on his side; if he attacked the similar English law with the same arguments he would provoke only astonishment and ridicule.

Mr. Stead returned to the attack in the May number of the *Review of Reviews*. Some conciliatory remarks had appeared in the *Month* for May, and of these Mr. Stead took the fullest advantage. The writer in the *Month* pointed out that although a clandestine contract of marriage is null and void before God, the Church, and

in conscience, and as such produces no obligation in conscience, there may, nevertheless, be an obligation to make reparation to an injured woman if she has suffered any unjust damage from the action of the other party to the informal contract. This right to reparation does not arise from the invalid contract, for it is non-existent, and can give rise to no rights, but it arises from the eternal laws of justice which prescribe that one who has unjustly wronged another in any way must make reparation for the injury inflicted. The Church does not recognize the clandestine contract, nor does she admit that any rights arise from it as such; but of course she does recognize obligations arising otherwise from the eternal laws of justice, and, as far as she can, she enforces them. Mr. Stead is blind to this all-important distinction, and makes the following remarks:—

Now, what the non-Catholic finds some difficulty in understanding is how there can be any obligation arising from the eternal laws of justice which is not recognized by God, the Church, and in conscience. If the eternal laws of justice are something independent of and outside God, the Church and conscience, then we shall have to reconstruct our philosophy and theology. Hitherto Protestants have always understood that the Roman Catholic Church claimed to be the accredited organ of the Almighty for teaching and enforcing the eternal laws of justice, but now there is an extraordinary divorce between the two. It would seem that the eternal laws of justice are one thing, but God, the Church, and conscience are altogether other things.

It would seem from this that we were fully justified in saying that it is hopeless to expect Protestants to judge the actions of the Catholic Church with that fairness which they claim for themselves.

There are, however, some Catholics who find it difficult to accept the view that under the new law betrothal without the required formalities is null and void in conscience as it is in law.

They can understand the want of formalities making the contract invalid in law, and so depriving it of canonical

effects, but it seems to them that in spite of the law a promise remains a promise, and as such it should produce a natural obligation to fulfil it. This view is quite intelligible, indeed something like it is a very common view of canonists and divines concerning the effect of many positive voiding laws on acts which are naturally valid. Laymann and other classical moralists long ago pointed out that voiding laws may affect contracts and other transactions in five different ways. They apply the doctrine to both ecclesiastical and civil law. We will follow Laymann's exposition, but make use of modern instances to make our treatment as actual as possible.

Positive law, then, may be content with denying its assistance to enforce a contract under certain circumstances. It may or it may not acknowledge that a right exists under the contract, but it will not enforce the right by direct process of law. A good example of this effect of positive law is a debt, the action to recover which is barred by the lapse of six years according to English law. On this and other similar Statutes of Limitation, as they are called, Sir F. Pollock says :—

Now there is nothing in these Statutes to extinguish an obligation once created. The party who neglects to enforce his right by action cannot insist upon so enforcing it after a certain time. But the right itself is not gone. . . . Although the creditor cannot enforce payment by direct process of law, he is not the less entitled to use any other means of obtaining it which he might lawfully have used before. Thus if he has a lien on goods of the debtor for a general account, he may hold the goods for a debt barred by the Statute. . . . An executor may retain out of a legacy a barred debt owing from the legatee to the testator. He may also retain out of the estate such a debt due from the testator to himself ; and he may pay the testator's barred debts to other persons.<sup>1</sup>

Positive law may in the second place prohibit an action or contract, but recognize as valid what is done in spite of the prohibition. Examples of this are the laws forbidding clerics to trade, and the prohibitory impediments

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<sup>1</sup> *Principles of Contract*, p. 599.



of marriage. If a cleric speculates in mining shares his contracts are valid, but they are unlawful.

Thirdly, positive law might direct that a transaction is to be disallowed and set aside if it is brought into court, but until it is annulled it will retain its natural validity.

In the fourth place positive law may strike at the civil effects of a transaction without interfering with its natural effects; it may deny legal validity to an engagement, without wishing to deny its validity in conscience. According to a very generally received opinion this is in fact the effect of modern voiding laws made by the civil authority. The civil authority now-a-days troubles itself little about the consciences of its subjects, they may believe what they like, and in their private relations with each other they may do almost what they like provided that all parties concerned are content. The law is satisfied if only public peace and order are preserved; it is content to regulate the external relations of the citizens. A law therefore which annuls some act or contract affects only the civil and external effects of the act or contract. 'Void means destitute of *legal* effect,' says Sir W. Anson,<sup>1</sup> 'when transactions are declared by the law, or in statutes or instruments, to be "null and void," they will not as a rule be avoided more than the purpose of the law or statute or instrument requires, or on merely immaterial technical grounds.'<sup>2</sup>

The doctrine is applied to civil divorce granted to married people for certain causes by the law of England. Some years ago Mr. Justice Phillimore, sitting as Vacation Judge, before making absolute certain decrees *nisi*, is reported to have said: 'But that which the State, in its wisdom or unwisdom, has decreed must be carried out by the officers of the law, and as I neither make nor unmake marriages, except as a civil officer, for that purpose the decrees *nisi* must be made absolute.'

Finally, as Laymann says:—

There can be no doubt but that the legislative authority, ecclesiastical as well as civil, for some just cause having reference to

<sup>1</sup> *Law of Contract*, p. 221.

<sup>2</sup> *Encyclopædia of Laws of England*, s.v. 'Null and Void.'

the public good, can render certain persons incapable of entering into a contract who apart from the positive law and having regard only to the law of nature would be capable of contracting as is done in the diriment impediment of sacred orders. The legislative authority can also prescribe a certain form for contracts and wills which shall belong to their substance, so that informal contracts and wills are altogether null and void, though they would be valid by the law of nature, as is the case with clandestine marriage. In fine, the legislative authority for just cause can absolutely prohibit, and, if it so please, annul and make void a contract which otherwise would be valid by natural law.<sup>1</sup>

Ecclesiastical legislation furnishes many examples of all these ways in which an act or a contract may be rendered invalid by positive law. Besides those diriment impediments of marriage which are of positive law, we may instance the law of Trent which invalidates religious profession made before the age of sixteen and without a year's probation, and the law of the same Council which invalidates renunciation of property made by a religious before the proper time and without due formalities.<sup>2</sup>

There can be no doubt about the effect of these and similar laws. Religious profession made by one who fully understood what he was doing, though he was not yet sixteen, apart from positive law, would be valid; but the positive law of Trent makes such profession absolutely null and void, so that no sort of obligation, legal or natural, arises from it. The civil authority, within the limits of its own sphere, may in this matter do what the ecclesiastical authority can and does do. All Catholic authorities admit this. Certain schools of thought, outside the Catholic Church, profess to draw a hard and fast line between moral and legal obligation; with them the two notions are almost mutually exclusive. Although in certain questions the distinction is a useful and necessary one, still it must not be pushed too far, otherwise there

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<sup>1</sup> *De Legibus*, c. 16.

<sup>2</sup> Trent, xxv., De Reg. cc. 15, 16.

will be a perpetual and universal conflict between morals and law.

A few examples from English law will make our meaning plain. The husband of A. leaves her all his property by will, though she has sufficient means of her own, and though he had poor relations who are in need of money. Through some defect of form the will is declared invalid and set aside. The property instead of going to A., as the deceased husband desired and willed, is distributed among the next of kin. The positive law of the land annuls the will of the testator for want of form, and distributes the estate in a manner which he wished to prevent but did not succeed in doing so. It is plain that here, and in similar cases, legal obligation is the guide of moral obligation; there is a moral obligation to act according to law. It would be useless and wrong for the widow in spite of the law to claim all the estate for herself. Similarly when a right has been acquired by prescription, the positive law is the title to the right, but when it has once been legally acquired, all parties concerned, even those who suffer by the prescription being against them, are morally bound to acquiesce in the new rights that have arisen. We will take a third example from Sir W. Anson, *Law of Contract*, page III :—

An infant who had contracted trading debts was convicted on an indictment charging him with having defrauded his creditors within the meaning of the Debtor's Act, 1869. The conviction was quashed on the ground that the transactions which resulted in debts were void under the Infant's Relief Act. There were consequently no creditors to defraud.

In these and many other cases English law annuls transactions and rights which otherwise would be perfectly valid. Sound morality and every-day practice refuse to admit in such cases the distinction between legal and moral obligations. The rules of law are also rules of morality. Thus common practice, and necessity as well, compel us to admit that some voiding laws in English jurisprudence certainly affect the conscience and produce



moral obligations ; they do not produce merely legal effects which have no reference to morality. However, as we have already seen, not all voiding laws necessarily produce such effects in conscience. The legislative authority has the power for the common good to make a transaction absolutely null and void, but it need not necessarily use all its power in every case. It may be satisfied with something less drastic. It may, in fine, merely make the right unenforceable at law, or it may merely prohibit an action, or it may order its officials to quash it if it comes before them, or it may render an act legally void without troubling about its moral effects, or it may make the act absolutely null and void both in law and in conscience.

What precisely may be the effect of any particular law, ecclesiastical or civil, is a question of interpretation and fact. With reference to civil law the question is sometimes a difficult one to settle ; in ecclesiastical law the question is more simple. The end of the Church's law, like that of the Church herself, is the sanctification of souls. The rules, then, which she makes have that object in view and are rules for the conscience, not merely guides for external conduct. Besides, when as in the question before us, important issues depend on the intention with which a law has been made, the Church usually makes her intention quite plain. What then, according to the intention of the Church, is the effect of the new law of betrothal ? Does it annul informal betrothal altogether so that such a contract is null and void in conscience as it is in law, and so produces no moral obligation or rights between the parties ? The Church has the power to annul betrothal in this way as we have seen. Has she done so ?

Of course we are merely considering the contract, and enquiring whether any natural obligation arises precisely from the contract even though it be informal and invalid according to law. We suppose from what was said above that anyone who has deceived and injured another is bound in conscience to make reparation for the injury, though this obligation cannot arise precisely from a

contract which is absolutely null and void and therefore non-existent.

The portion of the decree with which we are concerned is as follows: 'Only those (espousals) are considered valid and produce canonical effects which have been contracted in writing signed by both the parties, and by either the parish priest or the ordinary of the place, or at least by two witnesses.' Informal espousals then not only produce no canonical effects, but they are not considered valid. Are they then invalid in conscience so that the mutual promise is absolutely null and void and produces no natural obligation? Yes, this seems to be the intention of the Church. For, certainly, a clandestine contract of marriage is by this same law made absolutely null and void, and produces no natural obligation, as all admit.

This same law prescribes a substantial form for valid betrothal, and the effect on betrothal should be the same as that on marriage unless the law makes a distinction. The law makes no distinction; it says simply, no other espousals are considered valid—and where the law does not distinguish neither should we, says the legal maxim. The terms in which the decree prescribes the substantial form for marriage are these: 'Only those marriages are valid which are contracted before the parish priest,' etc. One or two writers have thought that the slight difference in the form of expression concerning espousals and concerning marriage was intentional and designed to signify a difference in the effect. It seems plain, however, that the difference is only in the mode of expression and that the sense is the same.

Besides, in the interpretation of a law we must try to get at the intention of the lawgiver, and at the end which he proposed to himself in making the law. In this case these are clearly expressed in the narrative part of the decree. We there read:—

It has been asked by very many Bishops in Europe, as well as by others in various regions, that provision should be made to prevent the inconveniences arising from espousals, that is, mutual promises of marriage, privately entered upon. For

experience has sufficiently shown the many dangers of such espousals, first as being an incitement to sin and causing the deception of inexperienced girls, and afterwards giving rise to inextricable dissensions and disputes.

If the decree does not annul the natural obligation arising from private and informal engagements, but only the canonical effects, it is plain that the inconveniences here alluded to will not be removed. The natural obligation of the contract will remain, the parties will be mutually bound to one another, there will be the same incitement to sin, the same danger of deception for inexperienced girls, and even dissensions and disputes will not be prevented, for if the natural obligation exists, the Church, at least, in her internal forum cannot ignore it, any more than she can ignore other natural obligations. If, then, the end proposed was to be obtained, it was necessary that the law should render informal betrothal invalid not merely for the external forum, but for the forum of conscience as well.

Furthermore, the Church takes cognizance of natural obligations even in her external forum. If a natural and grave obligation, such as that arising from a mutual promise of marriage, is violated, mortal sin is committed, and the Church cannot ignore mortal sin even in her external forum. Unless, then, we are prepared to admit an open contradiction in the Church's jurisprudence, we must conclude that since the new law of betrothal certainly invalidates informal espousals in the external forum, it also invalidates them in the internal forum, so that they do not of themselves produce any obligation whatever. Nearly all the commentators who have written on the new law up to the present have adopted this view of its meaning and effect. Cardinal Gennari, Mgr. Cronin, Fathers Vermeersch, Besson, Ojetti<sup>1</sup> and Ferreres, of the Society of Jesus, are unanimous and emphatic on the point. The *Civiltà Cattolica* has special means of knowing the mind

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<sup>1</sup> *In ius antepianum et pianum ex decreto 'Ne temere,'* p. 74.



of the authorities in Rome, and in a recent review of the commentary of Father Ferreres it says :—

The first chapter deserves to be specially pointed out to canonists where the author at great length and with unusual learning discusses the discipline on betrothal which was in force in Spain and Latin America before the new decree was made. With copious argument he proves that the nullity of private espousals in those countries affected both the internal and the external forum, so that they produced no sort of obligation even in conscience ; and from this he draws the conclusion that under the new discipline private espousals universally produce no natural obligation to fulfil the promise made, even though in the external forum there is no doubt at all about the promise.<sup>1</sup>

The argument from the previously existing law in Spain and in Spanish America here alluded to has great weight. The Church's law develops in an orderly manner and on fixed principles. A measure is often tried at first tentatively and in some particular country. If it is found by experience to work well, it is often then extended to the universal Church. The matter under discussion furnishes an example of this. For many years past only public and formal espousals have been recognized by the Church as valid in Spain and in Spanish America. A question arose as to whether this legislation affected the external forum only or the internal forum of conscience as well. The question was sent for decision to Rome, and on November 5th, 1901, the Sacred Congregation entrusted with the management of extraordinary ecclesiastical affairs answered that informal espousals were in those countries invalid in the forum of conscience. Whence it would seem to follow that under the new law informal espousals are invalid in conscience everywhere.

Before concluding we may again call the attention of the reader to the fact that we do not deny that a man who has entered into an informal engagement to marry a woman, who in reliance on his promise has refused other

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<sup>1</sup> *Quaderno*, 1389, 2 Maggio, 1908, p. 335.

offers of marriage, and who if this engagement is broken off will find it difficult to obtain a husband, is bound to stand to his informal engagement. What we deny is that this obligation arises precisely from the informal engagement which is null and void by ecclesiastical law and can give rise to no obligation of itself. The conduct of the parties towards each other, their mutual understanding, the natural right of the woman not to be treated as a mere plaything in so serious a matter, and other similar circumstances produce obligations which natural justice requires to be fulfilled.

T. SLATER, S.J.

# Notes and Queries

## LITURGY

### TRIDUUM IN HONOUR OF THE BLESSED SACRAMENT

REV. DEAR SIR,—What is the order of devotions in regard to the triduum to be observed in cathedral churches on the three days following *Corpus Christi*? A few words in an early number of the I. E. RECORD will be useful to many.

SACERDOS.

The Triduum of Devotions in honour of the Blessed Sacrament, to which there is here reference, was initiated in Letters issued by the Cardinal-Prefect of the Sacred Congregation of Indulgences, at the instance of His Holiness, on 10th April, 1907. A deep desire to spread devotion to the Most Holy Sacrament of the Altar and to extend still more the worship of our Divine Lord hidden under the Sacramental veil, seems to be the most prominent of the virtues of Pius X. In the early years of his Pontificate, he published a remarkable and far-reaching decree on Frequent Communion not only permitting but even encouraging the ordinary faithful, who felt free from grievous sin and are prompted by an upright intention, to approach often and partake of this life-giving bread. Already the good results of this generous legislation have become apparent. Closer contact with the Author of all good has helped to fan into a flame in the human heart the slumbering embers of Divine love, and nearer approach to the Fountain of Charity has tended to draw closer the bonds of union between the soul and its Creator. The success of former efforts has served to stimulate the Sovereign Pontiff to still greater zeal in the same direction; and so, believing that, if by our united prayers we offer, as it were, a holy violence to the Hidden God of the Blessed



Eucharist, we shall obtain whatever we want, he desires that a short season of very special Devotion to the Real Presence should be annually established wherever it is possible. With a view to this end the Octave of the Feast of Corpus Christi seemed to be most appropriate and, accordingly, the Congregation of Indulgences, in the Letters referred to, recommends the Bishops throughout the world to establish in their Cathedrals and other important Churches of their dioceses a three days' devotion in honour of the Blessed Sacrament to begin on the Friday after the Festival and end on the following Sunday. A later decree, however, of the same Congregation<sup>1</sup> allows the Ordinaries to select any other three successive days in any week of the year, and in this connexion the occasion of the Solemn Exposition of the *Quarant' Ore* is found to be generally convenient. In carrying out these devotions the following method is to be observed :—

1<sup>o</sup>. The exercises of each day shall begin with a sermon on the Blessed Eucharist in which the excellence of this Divine Sacrament should be largely dwelt upon and the people instructed as to the dispositions of soul necessary for its fruitful reception. The discourse should be followed by Solemn Exposition and Benediction of the Most Holy Sacrament. The following prayer is to be recited during exposition :—

*O dulcissime Jesu, qui in hunc mundum venisti, ut omnes animas vita ditares gratiae suae, ad quam in illis servandam simulque fovendam in augustissimo Eucharistiae Sacramento salutare pharmacum earum infirmitatibus sanandis, et cibum divinum debilitati sustinendae temetipsum quotidie praebes. Te supplices deprecamur, ut super eas sanctum tuum spiritum benignus infundas, quo repletæ, lethali labe si quæ sint inquinatæ, ad Te revertentes, vitam gratiae peccatis deperditam recuperent ; quæ vero, Te misericorditer largiente, jam Tibi adhearent, quotidie, prout suique dabitur, ad tuam caelestem Dapem devote accedant, qua roboratæ, venialium culparum a se quotidie admissarum antidotum sibi comparare vitamque gratiae tuæ alere valeant, sicque magis magisque emmundatæ, sempiternam in coelis beatitudinem consequentur. Amen.*<sup>2</sup>

<sup>1</sup> 8th April, 1908.

<sup>2</sup> An approved English translation of this prayer might also be used.

After this prayer the *Tantum Ergo* is sung, and Benediction is given with the Monstrance.

12°. On the last day of the Triduum there should be Mass in the morning at which Communion will be distributed, and a sermon given on the subject suggested by the Gospel read in the Mass of the Sunday within the Octave of Corpus Christi, or on some other kindred topic. Later on, towards noon on the same day, similar exercises take place to those of the previous days, except that the *Te Deum* is chanted before Benediction of the Blessed Sacrament but during the Exposition. There seems to be nothing to prevent the Devotions from being held in the evening, but on each morning there should be at least one Mass celebrated for the purpose of giving the faithful an opportunity of going to Communion.

3°. The following Indulgences have been granted to those who participate in these Devotions: (a) a partial Indulgence of 7 years and 7 Quarantines to all who take part in the exercises of each day; (b) a Plenary Indulgence may be gained on any day during the Triduum by those who devoutly assist and who, having gone to Confession, receive Holy Communion and pray for the Pope's intention.

#### NUMBER OF PRAYERS IN SOLEMN REQUIEM MASSES

REV. DEAR SIR,—In the Rubrics given in the beginning of the *Ordo* (XV., No. 13) the following words occur in reference to the number of prayers to be said in a *Missa De Requiem*: 'In missis quotidianis quibuscumque, sive lectis, sive cum cantu, plures sunt dicendae orationes,' etc. Does this not seem at variance with the general Rubric, which seems to indicate that only *one* prayer should be said in *Missis De Requiem* '*solemniter celebratis*,' and which reads as follows: 'In die Commemorationis omnium defunctorum, et in die depositionis, et in anniversario defuncti, dicitur *una* tantum oratio: et similiter in die tertia, septima, trigesima *et quando-cumque pro defunctis solemniter celebratur*,' etc.?—Faithfully yours,  
C. C.

My correspondent must have got his information about the unity of the prayers in Solemn Requiem Masses from

an antiquated edition of the Rubrics of the Roman Missal. If he had seen these Rubrics, as revised in accordance with the decrees about *Missae pro Defunctis*, issued in 1896, he would have discovered that the present law is that: '*In Missis quotidianis quibuscumque sive lectis, sive cum cantu plures sunt dicendae Orationes. . . .*'<sup>1</sup> In the preceding paragraph of the same *Titulus* words are found even in the new versions of the Rubrics of the Missal similar to those quoted above, but they are qualified by a clause immediately following—*nempe sub ritu qui duplici respondet*—which restricts their obvious meaning very considerably. According, then, to the existing legislation if Solemn *Requiem* Masses are said on privileged occasions (on which they will be celebrated in accordance with the Double rite), they will have only one prayer, but if they are said as *Missae Quotidianae*, that is, on occasions which are in no way privileged by the Rubrical laws, then they must have three prayers. In this respect, however, they differ from Low Masses, for the latter when not privileged may have three, five or seven prayers, but Solemn Masses may not have more than three.

**REVALIDATION OF VOID RECEPTION INTO CONFRATERNITY OF BROWN SCAPULAR]**

In response to a petition of the General of the Order of Discalced Carmelites, the Congregation of Indulgences and Sacred Relics has issued a decree revalidating all receptions into the Confraternity of our Lady of Mount Carmel or Brown Scapular, which may have been invalid from one cause or another. The decree is dated the 4th February, 1908, so that whatever defects have been committed anterior to this date in the enrollment or aggregation of members are thereby removed, the indulgences revive, and the receptions have the same effects as if they were valid *ab initio*. A common source of defective receptions is failure to inscribe the names of members in the Register

<sup>1</sup> Titulus v. 4.



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of a duly erected branch of the Confraternity. It will, therefore, be a cause for much consolation to those who have conscientious scruples on this head to know that neglect to comply with this essential condition in the past has now been made good, so far at all events as those receptions are considered that were made before above date.

P. MORRISROE.

## DOCUMENTS

## THE IRISH UNIVERSITIES BILL

## STATEMENT OF THE IRISH HIERARCHY

At a Special Meeting of the Archbishops and Bishops of Ireland, held at St. Patrick's College, Maynooth, on Tuesday, June 16, 1908, His Eminence Cardinal Logue in the chair, the following Statement on the Universities Bill was adopted, and ordered to be published :—

## I.

Having given our best and most anxious consideration to the Universities Bill now before Parliament, we are of opinion that in setting up a new University in Belfast and another in Dublin, with constituent and affiliated Colleges, it has been constructed on a plan which is suited to the educational needs of the country and likely to lead to finality on the Universities question.

While we must regret as one of the evils incidental to the present system of legislation for Ireland that the provisions of this Bill which regard the University of Dublin and its Colleges are not framed in accordance with the religious convictions and sentiments of this Catholic nation, we freely recognize the limitations which existing parliamentary conditions impose upon the Government, and desire to render their task in trying to solve this grave question as easy as possible.

Within the fundamental conditions, within which, as we are informed, the Government has to act, we believe that a good deal more than is proposed in this Bill might and ought to be done to meet the legitimate requirements of the Catholics of Ireland, and as a consequence to promote the efficiency of the new University. It will readily occur to most people, for instance, that the Head Masters of Secondary Schools should, on account of their close connection with University work, be represented on the Governing Body of the Provincial Colleges and the University, these schools being scheduled by the Commissioners of Intermediate Education.

A most important and indeed vital question is that of the status and condition of the College to be established in Dublin. We have seen with dismay that it is not to be residential, and if this determination is persevered in, we feel that the con-

sequences for the University and the College may be disastrous. From a moral and religious, as well as from an educational point of view, we should regard it as indefensible to throw hundreds of young men on the streets of Dublin, and, side by side with the splendid provision which is made at the cost of the Irish nation for the Episcopalian Protestants in Trinity College, it would reduce our students to a position of intolerable inferiority.

## II.

We beg to state that we cannot undertake to send the students of the Arts Faculty in Maynooth to reside in Dublin, and that consequently the result of the adoption of Mr. Butcher's amendment would be to deprive the hundreds of students resident in this College of the opportunities which they at present enjoy of gaining University degrees.

We are satisfied, and are sustained in our conviction by the experience gained in the examinations of the Royal University, that the teaching in Maynooth is fully up to the University standard.

We are willing, however, to accept any suggestions that may be made by the Senate of the new University for the regulation of the courses of studies, or for the strengthening, in so far as it may be found necessary, of the professorial staff.

And, finally, we consider that it would make much more for the dignity and efficiency of the new University to leave such questions to its determination than to impose upon it a disability which is without precedent in any University in these kingdoms.

Signed,

✠ MICHAEL CARD. LOGUE,  
*Chairman,*

✠ RICHARD ALPHONSUS, <i>Bishop of Waterford and Lismore,</i>	} <i>Secretaries to the Meeting.</i>
✠ ROBERT <i>Bishop of Cloyne,</i>	

#### CATHOLIC CLERICAL MANAGERS' ASSOCIATION

MEETING OF CENTRAL COUNCIL IN DUBLIN, JUNE 11, 1908

The Sixth Annual Meeting of the Central Council of the Catholic Clerical Association of Managers of Irish National Schools was held in Dublin, on Thursday, 11th June.



The Chairman, Right Rev. Mgr. Keller, V.G., P.P., Youghal, presided.

Reports from the four Provincial Councils were read, and also the Treasurers' report, and a letter, with a resolution, from the Mullingar Branch of the National Teachers' Association.

Most Rev. Dr. Sheehan, Bishop of Waterford, wrote in reply to a question the Council desired the advice of the Bishops upon, that their Lordships 'consider it inadvisable to make any general rule for the entire country regarding the appointment of Junior Female Assistants in Schools under a master, circumstances being so different in different cases.'

In reference to a question postponed from the last meeting the Council considered that existing Teachers have prior claims for admission to Training Colleges, to candidates who are not yet teachers; and the Secretaries were directed to respectfully intimate this opinion to the Superiors of our Training Colleges, and to the Secretaries of the Board of National Education.

Another adjourned question was dealt with in the following resolution, which was unanimously adopted:—

'That a Standing Committee consisting of five members be appointed to watch our Primary Education interests in the intervals between our Annual Meetings, with authority to speak and act in matters of urgency in our name.'

It was also agreed:—

'That the following constitute this Committee, three to form a *quorum*, due notice having been given to all: Mgr. Murphy, Canon O'Hea, Mgr. Kelly, Canon Fricker, and Father Curry.'

The Council considered the suggestion made from some quarters regarding a fifth form of agreement between Managers and Teachers, and agreed unanimously not to touch it. Form No. 2 or No. 3 is what it would recommend.

The following Resolutions were unanimously adopted:—

'That we repeat our emphatic protest against all Rules and Regulations in the New Code of the Board of National Education which tend to any further amalgamation of schools than is sanctioned by the Rules of the Old Code, and particularly against Rule 194 (Rules and Regulation 1907-8): "In cases of application for building grants for adjoining Boys' and Girls' Schools, grants for separate schools cannot be made unless there is an average attendance of at least 50 pupils in each school"—a rule so strongly condemned by Cardinal Logue. We deplore the persistence of the Commissioners in still maintaining these rules against the clear and repeated condemnation of our Bishops, the Catholic Managers, parents and teachers.'

'That the Board of Education be asked to contribute to

the up-keep of all the National Schools of the country. Those that it has not helped to erect have the largest claims in equity upon it, while the Schools vested in Trustees, two-thirds of the costs of the erection of which it has advanced, should have at least two-thirds of their up-keep supplied from the same source.'

'That in all schools in which it is deemed desirable that needlework, cookery, laundry work, domestic science, horticulture, etc., should be taught, the Board be asked to contribute two-thirds of the cost of providing apparatus, materials, and requisites necessary for the efficient teaching of these subjects.'

'That we highly approve of the action of some Co. Councils in Ireland which establish scholarships to enable pupils of Primary Schools to pass on to Technical and other Schools; and that we desire to see the other Co. Councils do the same. We hope to see established from some source, for Intermediate and University Education, a similar system of scholarship, by which more talented pupils, after competition, may secure an Intermediate and University Education at some Educational Establishment approved of by their parents.'

'That as very many of the Irish people depend on the produce of agriculture as their main subsistence, we consider that the education of their children should largely be devoted to a proper training in the knowledge of land, its suitability for certain crops, the most remunerative method of sowing, saving, and marketing them; and to such other matters connected with farming as will provide skilled as well as hard-working tillers of the soil.'

'That we recommend C. C. Managers to insure their Teachers against claims under the Employers' Liability and Workmen's Compensation Acts, with the Catholic Insurance Company of Ireland on and after next date for insurance.'

'That our Secretaries press upon the National Board the equity of having this Insurance made by the Imperial Treasury.'

'That as the Universities contemplated in the Bill at present before Parliament are proclaimed to be for the humbler as well as for the wealthier classes, and as it is very important that there should be co-ordination in the various grades of education, we consider it highly desirable that representatives of the National School Managers should be on the governing bodies of both Universities.'

'That we learn with much regret of the removal from the list of books sanctioned for use in Irish National Schools, of one of the series prepared at much expense by Messrs. Browne and Nolan, and largely used in our schools for some time past.

We believe that the book objected to was prepared for the use of Irish children, who are chiefly Catholic, by very distinguished Irishmen, and that it is objected to unreasonably, and solely by anti-Irishmen and anti-Catholics.

'That' we request the personal consideration of this matter by the entire National Board, which has not considered it, with a view to have the book reinstated amongst those fit for use in Irish National Schools; and that we trust that in an affair affecting the education of Irish Catholic children, the Commissioners will not submit to dictation from such a body as the "Imperial Protestant Federation."

'That we again join in the demand that the salaries of our Teachers be considerably increased, particularly in their initial stages; and we desire to voice the claims of our Convent and Monastic Schools to equitable treatment in the apportioning of the increases. The work done in these schools is at least as satisfactory as that done in the other good National Schools, and it is manifestly unfair that a remuneration of only £1 19s. 3d. per pupil be given in Convent and Monastic Schools, while £2 11s. 6d. per pupil are given in ordinary National Schools, and £4 3s. 9d. in Model Schools.' (Report for 1906.)

'That we cordially welcome the *Irish Educational Review* as a learned and powerful aid in the work of Denominational Education, and we recommend its extensive circulation amongst the Catholic Clerical Managers and their teachers throughout the country.'

On the motion of Dean Flynn, seconded by the Chairman, a telegram greeting Cardinal Logue with a cordial 'Welcome Home' on his return from America, was ordered to be sent to His Eminence in the name of the Association of C. C. Managers.

A vote of thanks to the Chairman concluded the proceedings.

### THE DECREE 'NE TEMERE' AND IRELAND

PROT. N. 80598.

*Illme. ac Rme. Domine.*

Post latum a S. Congregatione Concilii die 2 mensis Augusti superioris anni, iussu et auctoritate SS. D. N. Pii PP. X. Decretum '*Ne temere*' de Sponsalibus et Matrimonio, quamplures Ordinarii huic S. Consilio Propagandae Fidei subiecti petierunt utrum vim suam adhuc retineret Declaratio a Benedicto PP. XIV data die 4 Novembris anni 1741 pro matrimoniis in Foederatis Belgii provinciis inter haereticos contractis et contrahendis, quae deinde a S. Sede multis aliis regionibus extensa



fuit. Haec Ordinariorum petitio cum iudicio EE. Patrum S. Congregationis Concilii subiecta fuerit in causa *Romana et aliarum*, iidem EE. Patres in generali conventu habito die 1 Februarii u. p. ad Dubium IV : '*An sub art. XI § 2, in exceptione enunciata illis verbis " nisi pro aliquo particulari loco aut regione aliter a S. Sede sit statutum " comprehendatur tantummodo Constitutio Provida Pii PP. X ; an potius comprehendantur quoque Constitutio Benedictina et cetera eiusmodi indulta impedimentum clandestinitatis respicientia*' respondendum censuere : *Comprehendi tantummodo Constitutionem Provida ; non autem comprehendendi alia quaecumque Decreta, facto verbo cum Sanctissimo :*' quae resolutio a SSmo Dño Nro. confirmata et approbata fuit.

Haec pro meo munere cum Amplitudine Tua communico, et precor Deum ut Te diu sospitem incolumemque servet.

Datum Romae ex Aedibus S. C. de Propaganda Fide die 5 Martii 1908.

Amplitudinis Tuae addictissimus servus

HIERONYMUS Card. GOTTI, *Praefectus*.

ALOISIUS VECCIA, *Secretarius*.

**LETTER OF HIS HOLINESS POPE PIUS X TO HIS EMINENCE  
CARDINAL MORAN**

**EPISTOLA**

DILECTO FILIO NOSTRO PATRITIO FRANCISCO TIT. S. SUSANNAE  
S. R. E. PRESBYTERO CARDINALI MORAN ARCHIEPISCOPO  
SYDNEYENSIVM AC PRAESIDI AUSTRALIENSIS SYNODI TERTIAE  
CETERISQUE VENERABILIBUS FRATRIBUS ARCHIEPISCOPIS ET  
EPISCOPIS AUSTRALIAE. — SYDNEYUM.

**PIUS PP. X.**

*Dilecte fili noster et venerabiles fratres, salutem et apostolicam  
benedictionem.*

Illos vere prae se ferre sedulitatem Pastorum arbitramur, qui non modo suum quisque studium, sed communis quoque sollicitudinis opem in adiumentum gregis conferre cordi habent. Talis quidem administrandae ecclesiae sapientia, atque eiusmodi perficiendarum ardor ovium vestris certe insidebant in animis, quum ad spirituale populi profectum, tertiam habituri Australiae Synodum, Sydneyum convenistis. Vobis igitur vestrisque providentiae multae laboribus voluntate omni gratulamur. Fuit enim Nobis vehementer laetabile vestras intellexisse curas, tum in id pulcre collatas ut Australiae fideles, quod nobile prae-

buerunt adhuc pietatis exemplum et fidei, impertire acatholicis constanter pergerent, tum illuc apte et utiliter adiectas, et quae esse opportuniora viderentur provehendae fidei praesidia, ea perspicue paterent et communi actione adhiberentur. Quamobrem ardentissima ad Deum attollimus vota, ut quae isthic cum tam alacri diligentia Praesulum sunt incepta, eadem cum rore divinae gratiae perficiantur, conducatque celebratus coetus ad christiane instaurandam Australiam. Auspicem caelestium gratiarum Nostraeque dilectionis testem, apostolicam benedictionem tibi, dilecte fili noster, vobis, venerabiles fratres, creditisque cuique vestrum dioecesibus, peramanter in Domino impertimus.

Datum Romae apud S. Petrum, die XXIX Octobris anno MDCCCXV, Pontificatus Nostri secundo. PIUS PP. X

LETTER OF HIS HOLINESS POPE PIUS X TO THE  
ARCHBISHOP OF WESTMINSTER

EPISTOLA

VENERABILI FRATRI FRANCISCO ARCHIEPISCOPO WESTMONASTERI-  
ENSIUM—WESTMONASTERIUM.

PIUS PP. X.

*Venerabilis Frater salutem et apostolicam benedictionem.*

Nostram Pastoris Supremi vigilantiam illa non fugit gravissima omnium res, qua catholicorum ex Anglia sollicitudo exercetur in praesens, studium dicimus tuendae fovendaeque scholae, quae fidei ac professioni catholicae congruat. Tot certe Cardinalibus Archiepiscopis Westmonasteriensibus tribuendum laudi quod fideles Angli, per postremos annos quinque et triginta, eam in rem ingenti cum conatu adlaboraverint ut catholicas scholas fortitudine defenderent, adserto in primis, oportere iuventutem institui religiose. Eiusmodi exempla decessorum te quoque esse prosecutum libet equidem agnoscere; perspectum enim Nobis est ducem te fideli populo extitisse in conferendis animose voluntatibus quo citius votorum summam in disciplina scholarum adipiscatur. Huius porro in patrocinio causae persuasum illud habemus non defutura vobis, vel a pluribus qui catholice non sentiant, adiumenta probationis et gratiae; etsi enim non ea isti universa contendat, quae sunt flagitanda catholicis, est tamen plane exploratum consentire eosdem vobiscum de iuventute religiose instituenda. Quapropter ad hanc tantam promerendam laudem catholicos Anglos ex animo adhortamur, eosque maxime hortatione Nostra spectamus, qui scribendis sive libris sive diariis egregiam operam navant. Hi

namque perutiliter ac benemerentissime fecerint si, rationibus cunctis posthabitis quae aut privatim intersint, aut dividant perniciose animos suorum ductu Episcoporum in incepta defensione non perseverent modo, sed quotidie magis proficiant. Placet vero cum stimulo solatia iungere, quorum quidem labore curaque distentis opus certe compluribus est, iis praesertim e sacro clero, qui, mediis in populis sustentantes vitam, nullis neque e conatibus neque e molestiis se subducunt, si valeant catholicas scholas praestare incolumes : iis etiam e magistrorum magistrarumque numero, qui multa cum opera, atque incommodis non sine magnis, munere nobilissimo praeclare funguntur. To denique sollertem praesulem collegasque singulos tuos grati animi testimonio honestamus, Vobisque ac fidelibus universis uberem e coelo gratiam deprecantes, huius divini muneris auspicem ac Nostrae benevolentiae testem Apostolicam Benedictionem peramanter in Domino impertimus.

Datum Romae apud S. Petrum die XVIII Octobris MDCCCXV, Pontificatus Nostri tertio.

PIUS PP. X.

## POPE PIUS X AND AUSTRIAN CATHOLICS

### EPISTOLA

QUA SUMMUS PONTIFEX CONGRESSUM GENERALEM CATHOLICORUM AUSTRIAE LAUDAT HOSQUE AD CONCORDIAM CONTRA ECCLESIAE HOSTES HORTATUR.

DILECTO FILIO NOSTRO

ANTONIO IOSEPH TIT. S. MARIAE ANGELORUM IN THERMIS  
S. R. E. PRESBYTERO CARDINALI GRUSCHA  
ARCHIEPISCOPO VINDOBONENSIVM

VINDOBONAM.

PIUS PP. X.

*Dilecte Fili Noster, salutem et Apostolicam benedictionem.*

Habitus, biennio ante, a catholicis Austriae conventus, iter ad salutem religionis et patriae cum maxime accommodum aperuit, quod quidem catholicos ipsos gloriose instituisse pervidemus. Id Nobis, ad solatium vehemens, spectabiles alacresque viri enarravere, quibus officium est demandatum novi comparandi, in proximum Novembrem mensem, catholicorum ex universa Austria congressus. Miram hi namque descripsere voluntatum concordiam cuius uno invictoque ductu, Sedis Apostolicae commendato scriptis, impetum repellere hostium, in negotiis ad religionem civilemque cultum proxime pertinen-



tibus, Austriae catholicae licuit. Porro parem huic tantae laetitiae voluptatem illud Nobis conciliavit, deliberatum catholicis istis itidem esse unitatem firmitatemque animorum servare posthac immotam, si certo perpetuoque velint tuitionis et victoriae metam attingere. Causa enimvero frugiferi confirmandi propositi oh utinam desit ! Contra pervulgatum illud est, profligari Ecclesiae hostes novisse, quiescere et ponere arma non item. Nec sane conquiescunt apud vos inimici, quum aut Ecclesiam progredientibus humanae sapientiae luminibus calumniati infensam, providentissimam auctoritatem eius interdicere institutione iuventutis publicisque scholis adnituntur ; aut commentis promissisque multitudines irretiri male cautus, opificum praesertim, et ab Ecclesiae matris complexu seiungere conantur. Paratis igitur, immo omni nisu contendentibus sacram civilemque rem in gravissimis vitae generibus adoriri, ea vobis obiiicienda sola est vis, quae, ut probe estis intuiti, consensu concordiaque gignitur. A Nobis quantum est, hortationem habetote ex intimo prodeuntem corde, ne quando victoriae gloriam utilitatemque cum dedecore deseratis. Si vobis, quod certo percepimus, et animorum et vitae praesentis sunt cordi emolumenta multo maior quam illis, est adhibenda in decertando contentio, quos unum saepe commenticium huius aevi commodum movet. Summis autem utilitatibus quae proximo sunt assequendae congressui, minus equidem esse aptam industriam humanam intelligimus, nisi divina etiam praesto sint adiumenta. Iis propterea singulis, qui parando conventui dant operam, universisque catholicis, qui congressionis participes erunt, luminum viriumque caelestium copiam deprecamur, gratiaeque auspicem, eandemque indicem studii, unde personas laboresque coetus prosequimur, Apostolicam benedictionem peramanter in Domino impertimus.

Datum Romae apud S. Petrum, die VIII Octobris MCMVII,  
Pontificatus Nostri anno quinto. PIUS PP. X.

## ECCLESIASTICAL STUDENTS AT SECULAR UNIVERSITIES IN FRANCE

### EPISTOLA

EMI. CARD. A SECRETIS STATUS AD REV. D. BAUDRILLART UNIVERSITATIS CATHOLICAE PARISIENSIS RECTOREM.—CIRCA FREQUENTIAM CIVILIUM UNIVERSITATUM EX PARTE CLERICORUM

*Monseigneur,*

J'ai reçu votre lettre du 23 Septembre dernier et j'en ai pris en sérieuse considération les divers points.

Relativement à la défense faite par l'Encyclique *Pascendi*

aux clercs et aux prêtres qui ont pris quelque inscription dans une Université ou Institut catholique de suivre, pour les matières qui y sont enseignées, les cours des Universités civiles, je puis vous confirmer que les dispenses et exceptions, accordées par le décret de 1845 visé par l'Encyclique, s'étendent aux Universités de France : toutefois, le Saint-Père excepte de cette autorisation les cours les plus sujets à devenir dangereux, comme ceux d'histoire, de philosophie et des matières similaires.

Pour suivre ces cours, il faut que chaque étudiant ecclésiastique ait une permission expresse de son évêque.

Agréez, etc.

2 Octobre 1907.

R. Card. MERRY DEL VAL.

### EPISTOLA

QUA LYCEUM MAGNUM CATHOLICUM LUGDUNENSE LAUDATUR OB  
ORTHODOXAM DOCTRINAM ET FIDEM.

ILLUSTRI AC SPECTABILI VIRO

MODERATORI LYCEI MAGNI CATHOLICI LUGDUNENSIS

LUGDUNUM.

*Illustris ac spectabilis vir,*

Quod per occasionem, sane faustam, natalis quinquagesimi sacerdotii eius, decani et decuriales doctores Lycei magni catholici Lugdunensis, rectore praelucente optimo, gratulationes Sanctitati Suae et vota properarent offerre, equidem luculenter Beatissimus Pater agnovit non humanitatem modo, sed amantissimam quoque omnium vestrum pietatem. Quod vero opportunitate tanta usi, officium iidem, te praeunte, festinarint explere laetitiae declarandae suae ob Encyclicas editas Litteras adversus modernistarum doctrinae haereses, longe certe libentius vestram cum Apostolica Sede coniunctionem, perfectam, diligentem, concordem, Summus Pontifex reperit. Nam istud tale studiorum domicilium ac centrum, quando scientia falsi nominis fideique inimica infici mentes voluntatesque tam late conspicimus, solum se expeditumque ab insidioso et vaferrimo errore servasse, mirabile id et consolationis peculiaris est facinus, idemque a divini Numinis erga catholicos Galliae filios singulari sollicitudine plene repetendum. Itaque obsequium Lycei magni Lugdunensis aequae ac retentae incorrupte ab eodem fidem summopere Beatissimus Pater dilaudat, illudque dum probe sperat, ad legitimos disciplinarum progressus strenue quidem, sed haud aliter vos esse nixuros quam et germanae scientiae et romanae Cathedrae amoris unico adhaerentes testem praecipuae

dilectionis suae Apostolicam benedictionem singulis vobis impertit.

Dum te his reddo certior, cum ea qua par est estimatione permaneo.

Romae, die 23 Octobris 1907.

Tibi Addm̃us R. Card. MERRY DEL VAL.

## EPISTOLA

AD REVMUM. D. PASQUIER INSTITUTI CATHOLICI ANDEGAVENSIS  
RECTOREM. DE CASU NECESSITATIS IN INDULGENDA CLERICIS  
FREQUENTIA CIVILIVM UNIVERSITATUM.

*Monseigneur,*

Vous avez récemment proposé au Saint-Siège les questions suivantes.

1°. Est-il contraire à l'Encyclique *Pascendi* que les clercs, les prêtres et les religieux préfèrent aux Facultés catholiques des lettres et des sciences les facultés civiles, s'inscrivent à ces dernières et en suivent les cours, lorsqu'il n'y a en réalité aucune nécessité vraie, comme le témoignent les succès des Facultés catholiques ?

2°. Les clercs et les prêtres, professeurs ou surveillants dans un collège d'une ville où se trouvent seulement des Facultés civiles, sont-ils dans le *cas de nécessité* visé par la lettre aux évêques (n° 26051) ? Peuvent-ils s'inscrire à ces Facultés et en suivre les cours ?

3°. Peut-on regarder comme *une très rare exception* (lettre aux évêques, n° 26051) le cas où un collège comptera parmi ses professeurs et ses surveillants six ou sept prêtres ou clercs s'inscrivant à ces Facultés civiles et suivant les cours ?

Or, d'ordre de Sa Sainteté, je m'empresse de vous communiquer les réponses aux questions susdites :

Ad 1. *Affirmative* ;

Ad 2. *Negative*, à moins que, dans des cas exceptionnels, des raisons très graves et spéciales s'y ajoutent, dont l'appréciation est réservée à l'évêque ;

Ad 3. *Negative*.

Agréez, Monseigneur, l'assurance de mes sentiments dévoués en Notre-Seigneur.

Rome, 5 Novembre 1907.

R. Card. MERRY DEL VAL.



## NOTICES OF BOOKS

WHAT IS LIFE ? A Study of Vitalism and Neo-Vitalism.

By Bertram C. A. Windle, M.A., M.D., etc., President of Queen's College, Cork. London and Edinburgh : Sands & Co. ; St. Louis, Mo. : B. Herder. Price 3s. 6d. net.

This volume, of some 150 pages, has been expanded from the author's Westminster Lecture on 'The Secret of the Cell,' and forms itself one of the *Expository Essays in Christian Philosophy*, edited by the Rev. Dr. Aveling. If the object of these Essays is to expound and discuss in a scholarly, attractive, and easily intelligible manner, that will appeal to the ordinary educated enquirer, the various scientific and philosophical questions arising out of contemporary studies and researches, and affecting more or less closely the Christian's religious beliefs, we are convinced that Professor Windle's present publication has entirely succeeded in attaining that object. Without going very far into the deeper details of the various philosophical theories of life, the author has succeeded in touching every important aspect of the whole question, and that in a really lucid and scientific manner.

From the philosophic point of view the subject is of primary importance ; and the whole world of scientific discovery that has been revealed to us during the last half century in the youthful sciences of cellular biology and physiology have lent a fascinating interest to the study of the problem of organic life. The eleven chapters of Professor Windle's book are devoted partly to a brief yet sufficiently full and popular exposition of the really wonderful *facts* that have been so rapidly accumulating in regard to the origin, growth, nutrition and reproduction of the living cell ; partly to a critical exposition of the leading scientific and philosophic *theories* that have been built upon those facts with a view to 'explaining' the problem of life.

The expository chapters include a description of the structure and functions of the living cell, its whole life-history, the characteristics of living matter compared with those of inorganic matter, including all the facts that are of any significance in helping us to form a view as to the nature of the agencies at work in the living thing. The value of this portion is enhanced by diagrams.

In what we may call the philosophic sections the author's views and criticisms appear to us to be thoroughly sound in substance while they are moderate, persuasive and scholarly in their expression. He examines and compares the two great opposing views that have at all times prevailed in regard to the ultimate explanation of vital phenomena. There is what we may call the *mechanical* conception of life: the contention that all vital functions are simply a more highly developed and complex combination of the mechanical, physical and chemical energies of the inorganic universe; that all vital phenomena—even sentient and intellectual, according to extreme advocates of the theory—are amenable to the laws of inorganic matter, and find an *adequate* explanation in the principal of physics and chemistry; that there is no break in the continuity of evolution for the non-living to the living; that the latter *must have* sprung from the former, and must, therefore, presumably, return thereto. This is a materialistic theory, involving assumptions and arguments and methods which would lead to a denial of immortality, of providence, of religion. From the purely rational point of view of science and philosophy the theory is an extraordinarily superficial and utterly unsatisfactory one, despite its apparent simplicity and plausibility. This is not difficult to show; and by his clear, cogent, logical criticisms the author has, to our mind, successfully discredited it.

The class of writers who support this 'mechanical' philosophy—we will not call them *thinkers*, for their fault appears to us to be that they *refuse* to think on and on logically and sincerely till they reach *ultimate* issues—seem quite satisfied that they have 'explained' life completely as soon as they have gone back one step behind the phenomena by inventing certain hypothetical factors or elements of the *physical* order, whose combinations they can picture to their imaginations as producing the phenomena in question: entities and processes such as 'biophors,' 'radiobes,' 'tactisms,' 'polarities,' 'biotic energies,' etc. After which they turn around—and it is instructive and even amusing to observe the air of innocence and unconcern with which they *do* turn around—and coolly accuse those who differ from them of taking refuge in mere *verbal explanations*!

Professor Windle skilfully exposes this inconsistency, while he formulates and supports the other great traditional view of life—the *teleological* theory—which he calls Vitalism or Neo-Vitalism. (He rightly points out that the only significance of the 'Neo-' is to remind us that the discovery of new facts

permits us to restate the traditional 'vitalistic' explanation in more modern terms: the principles of the explanation remaining the same.) The clear and simple way in which he marshals and reviews the scientific evidence in support of Vitalism is deserving of all praise. The essentials of the vitalistic theory are briefly these: that in even the lowest and lowliest living cell there must be a something above and beyond the forces and energies—mechanical, chemical and physical—of the inorganic universe; that these latter are inadequate, by any conceivable combination or conjunction, to explain the marvellously complex and orderly drama of activities which constitute the life-history of that single cell; that along with all the *physical* ultimates discovered or postulated by observers, along with all the material elements and their known physical, chemical and mechanical energies, and in addition to the laws that elsewhere govern these energies, there must be in the living cell, some *directive principle* which guides and controls the evolution of these energies according to a higher law of its own; that this 'vital principle' (as it is called)—so far from being an unreal abstraction or fiction of thought—is a real partial constituent, a 'formative' principle (*forma substantialis* in scholastic terminology) of the very *substance* of the *living matter* itself; that, therefore, inorganic matter cannot become a 'living substance' nor manifest the phenomena of the living cell,—not even those most closely analogous to chemical, physical and mechanical energies of matter,—*in the way in which they are manifested* in the living cell,—by any evolution of its own inorganic energies, but only by *falling under the influence of already living matter* through being assimilated into the living substance itself; that the first appearance of life in a non-living material universe must, therefore, have been due to the action of a living being, to *creation*; that the existence of such a principle of *order, regularity, co-ordination and subordination* of functions for the well-being of the individual and of the race forces us to the conclusion that all this is the work of *design, of intelligence*, and demands from rational beings the admission of an all-ruling *Divine Providence*.

A glance will show us the supreme importance of these various theses in their bearing on the truths of the Christian religion; and it is a real pleasure to find them supported in a scholarly and persuasive manner by one whose reputation as a scientist is already well established.


Students of psychology will derive from the book a great deal of invaluable information about the physiological processes inseparable from conscious sensation. They will be glad to



find in it an able exposition and application of the scholastic principles 'modernized' by such well known writers as Father Maher, S.J., and Cardinal Mercier of Louvain. They will be interested especially in the author's attempt to determine whether *vegetative* life manifests any 'force' or 'energy' other than mechanical, chemical and physical energies, or whether the principle of vegetative life, instead of being itself a 'force' or 'energy' of the physical and efficient kind, may not be rather a *substantial* principle, *i.e.*, a principle constitutive of the substance itself of the living matter, a principle that is 'telic,' 'directive,' 'adaptive of the efficient energies of the living thing (by virtue of its giving the matter a certain 'nature,' *i.e.*, a certain 'aptitude' or 'fitness' or 'tendency,' innate in its very substance, towards certain definite lines of action) rather than a 'force' or agency itself productive of a distinct order or kind of 'energy.' They will speculate as to whether this view of the 'vital principle' or 'soul' as a 'forma *substantialis*' rather than a 'force' or 'energy,' as a directive principle or 'final cause' rather than an 'efficient principle or cause' might not, when extended to all living things including man, help towards a solution of the vexed difficulty arising from the law of the conservation of energy; and they will read with curiosity what the author has to say on the subject.

But the book will appeal to a wider public than to students of psychology. Educated people—and indeed all who read much periodical literature—are constantly meeting with doubts and troubles arising out of a pretended, alleged opposition between what passes for 'scientific truths' and the truths of their religion. It is to books like the present volume of Professor Windle's that such people may be referred with confidence for a solution of their difficulties; the author has deserved well of science and religion alike by putting such a valuable volume within reach of the general reading public. P. C.

CATHOLIC RECORD SOCIETY, 1908. Vol. V.: The English Martyrs, 1584-1603. Edited by Rev. J. H. Pollen, S.J.

 The Catholic Record Society was founded 10th June, 1904, for printing and distributing to its members original records, both historical and genealogical, relative to English Catholics since the Reformation. It has already secured a long list of members and the volumes which it has issued show clearly that from the point of view of method and scholarship it deserves a place

amongst the most learned and most successful of the many historical societies of England. The work is one that deserves the sympathy and support of the Catholic body, especially in England and Wales. It is much to be regretted that here in Ireland no similar society has been established, but in the meantime it should be noted that the English Society, though not professedly dealing with Ireland, has printed several documents of the highest importance for the historian of the Reformation struggles in this country. It is strange, therefore, that Irish names are conspicuous only by their absence from the list of subscribers.

The fifth volume, just issued to the members of the Society, is undoubtedly a valuable contribution to the history of the English martyrs. The learned editor, Father Pollen, is already well known to our readers as one of the most critical and careful of the English historians. Had he never done anything else his work on Mary Queen of Scots would have been sufficient to have given him a high place amongst historical writers. The present volume is marked by the same industry and discrimination.

It deals with the English martyrs from 1584 till 1603. The records of their trials, condemnations and punishments, the letters written by them to their superiors, the reports of the jailors, informers, and judges about their character, are all set forth in the original documents. From these it will be seen that political considerations had little to do with the cruelties inflicted upon the English Catholics. The only offence alleged against most of them was the fact that they were Catholics, or, worse still, priests, and that they would not acknowledge the Queen as Head of the Church in England. Skilfully devised questions were, indeed, put them; for example, would they fight against the Pope's Army if it invaded England, in order to give their offence a political complexion; but everybody understood the meaning of such a trick. The marginal note to the document (page 129) makes this clear enough. In that case the only offence alleged in the document was a religious one, but the marginal note was added that the indictment should be more carefully drawn up in 'the next impression.' The documents given (page 140 ff.) show clearly how anxious the Catholics were at the time to preserve faithfully the records of the trial and sufferings of those condemned for the faith.

We greatly admired the skill with which Father Pollen has made out the document drawn up by Puckering (page 151 ff.) dealing with the 'massacre' of English Catholics that followed upon the defeat of the Spanish Armada. It was an exceedingly

difficult document to decipher, and we think that Father Pollen has suggested a consistent interpretation. Still we think that the interpretation of the contraction 'pfit.' as 'profitetur' seems doubtful, though we confess we cannot suggest anything better. Though it was right to give the documents as they were written, still we think that here and there the abbreviations might have been lengthened without injury to the original, and with profit to many of the readers.

We heartily congratulate Father Pollen on his work. Some of the documents printed by him recalled to our minds the touching scenes of martyrdom in the early ages of the Church. They give us new views of the methods by which the Catholic religion was suppressed in England. The work is one that should be read with interest by a very wide circle; and we trust that it will be the means of bringing the Catholic Record Society under the sympathetic notice of our readers.

J. M'C.

**THE NEW MATRIMONIAL LEGISLATION.** A Commentary on the recent Decree *Ne Temere*, on Betrothal and Marriage. By Charles J. Cronin, D.D., Private Chamberlain to His Holiness Pius X; Vice-Rector of the English College, Rome. 340 pages. London: R. and T. Washbourne, Ltd.; and Benziger Bros. 1908. Price, 5s.

This neat and convenient volume of Dr. Cronin's will, I am sure, meet with the hearty welcome it deserves from all pastors entrusted with the care of souls, and especially from those who have to act the part of the Church's authorized witnesses at the matrimonial ceremony. Its appearance is most opportune. It deals with a matter of considerable practical importance with which every missionary is likely to meet now that the new decree of the Holy See on Espousals and Marriage has come into force. This decree is certainly a God-send, not only to the labourer in the Lord's vineyard, but also to the student of moral theology. It is with exceeding great pleasure one takes up such a book as Dr. Cronin's after he has come through all the intricacies, permutations and combinations necessitated by the former regulations concerning conditions required for the proper promulgation of *Tametsi*, domiciles, quasi-domiciles, and the notes by which to distinguish a valid betrothal.



Although the wording of the decree *Ne Temere* is pretty clear and manifest, still it is impossible that the words of any law should be an adequate commentary to determine its application in the thousand and one circumstances in which it has to operate. Hence the present work will be of great utility to those who have to put the law into practice and to be guided by its dictates; and though at first sight one must consider such a book to be an extravagant development for a few brief pages of legislation, still it does not seem too diffuse or extensive as you read through it. It first gives the decree itself both in Latin and English, after which it gives a short history of the events which led up to its framing. Then it takes up point for point the various headings, and it is no untruth to remark that Dr. Cronin's free, easy and clear English style has a novel attraction for the student, and more especially for the missionary priest who has been endeavouring to get his notions of the matrimony tract from the difficult, if classical, Latinity of Father Lehmkuhl. As regards the exposition of the several portions of the Decree, I think we may confidently rely on its worth and authority, as the author is in such close proximity to the source of the law, being in a position to furnish us with an almost authentic interpretation. He shows that the *Ordinarius* or *Parochus loci* (or the delegate of either) is the authorized witness necessary for the *validity* of the marriage, and that by this new decree the *Proprius Parochus* loses all power to *validly* (and *a fortiori* lawfully) solemnise the marriage of his subjects outside the limits of his parish (unless, of course, the evident case where he receives delegation from the bishop or parish priest of *the place* where the marriage occurs). I feel sure few will find themselves free to differ from the view of the author in this respect. As regards the question, who has the right to the *stole fees*, the reasons given are very strong for the opinion which allots them to the *Parochus loci*: but, for the licit celebration of the marriage, he must get the permission of the *Proprius Parochus* under pain of forfeiting the fees. The foregoing is a notable change introduced by the new law, and is not likely to please equally all parties.

There is another important question discussed in the appendix to the book which may be a matter of intimate concern for confessors in the future. The decree regards as invalid and without canonical effect espousals, unless they are duly recorded in writing before the pastor, or two witnesses. Whence arises the question: Does this regulation render espousals otherwise sincere and valid, but unwritten, null and void not only *in foro externo*, but also *in foro interno*? Or does the natural

law still bind the parties in conscience, and must the confessor keep them to their promise of marriage? Dr. Cronin argues for the invalidity of the espousals in every respect, and so there is no obligation to fulfil the promise if unwritten. For the contract of bethrothal becomes invalid, as does a will in civil law and a clandestine marriage in ecclesiastical law, whenever it lacks some condition imposed by legitimate authority as essential to its validity. He regards the writing before witnesses to be such an essential condition imposed by the new law. While this view seems most likely and the reasons given are forcible, yet it seems to me a good deal turns on the words '*habentur valida*' which are not at all so strong as '*sunt valida*,' which he maintains to be practically identical, and accordingly there is still room for difference of opinion. On the whole, this learned work of Dr. Cronin's is a boon for which we ought all feel grateful, and by the study of its pages pastors of souls can best comply with this final clause of the decree *Ne Tamere* itself: 'Let all local Ordinaries see that this decree is made public as soon as possible, and explained in all the parish churches of their dioceses, so that all may obtain an accurate knowledge of it.'

C. C. D.

A CHAPTER OF IRISH CHURCH HISTORY. Being Some Personal Recollections of Life and Service in the Church of Ireland. By Rev. Canon Courtenay Moore, M.A., R.D., F.R.S.A.I., Rector of Brigown, Mitchelstown. Dublin. 1907.

This is a scrappy, gossipy, chatty, kindly, genial collection of reminiscences, written by one of nature's gentlemen, and full of pleasant anecdotes. Its author is a Protestant clergyman who is well known in antiquarian circles, and has shown a tendency to make a very unprejudiced use of his private judgment. He is not frightened by incense, nor by vestments, nor by prayers for the dead. He has no antipathy to the cross. He speaks in a kindly and respectful tone of the Catholic clergy from whom he admits having learned many things that have served to guide him on his way through life.

There is a quiet humour running through his pages which make his pamphlet very readable. He understands the peasantry thoroughly. A man of his acquaintance was in the habit of constantly using the words, 'Do you corroborate?' He supposes, rightly I think, that the man meant, 'Do you

understand ?' for he talked so much and said so many things that it was impossible for anyone to 'corroborate' everything he said.

At page 52 of his pamphlet Canon Moore says : 'A friend once told me that when Newman, as Rector of the Roman Catholic University, was on a certain occasion taken to task, and corrected, by Cardinal Cullen for something of which the latter disapproved, the Cardinal wound up his reproof with the words : 'Remember, I am your Bishop.' 'Yes,' replied Newman, 'but I also remember that I was an English gentleman before you became such.' Now I confess I do not believe a word of this story. I do not in the least impeach the veracity either of Canon Moore or of his friend ; but I feel convinced that Cardinal Cullen never used any language that could ruffle Dr. Newman personally ; and had he done so I feel equally convinced that Newman would not have resented it in the form attributed to him here. He was too much of a gentleman to emphasize the fact, and had too much reverence for ecclesiastical authority to flout it in such a fashion. He had already dedicated one of the most important volumes of his lectures to Cardinal Cullen ; and however they may have differed as to policy I feel sure they never for a moment lost their mutual regard and veneration for each other. Moreover, the very form of the rejoinder shows it to be spurious, as anybody acquainted with Newman's style and manner will readily perceive.

Canon Moore as a story-teller is admirable, but as a historian I should have a good many reservations to make. In the 'appendix' he devotes some twenty or thirty pages to the 'Irish Papal Archbishops in the reign of Queen Elizabeth.' I do not think it would be very gracious to go into controversy at this stage : I should want to know who 'Luke Waddington' was, for instance. But it is enough to state that this part of the pamphlet is controversial and is written for the purpose of showing the 'unshakeable position of our claim.' If this claim were put forward in any serious work I should think it my duty to answer it : for the present I must take it as suitably concluding a book of good jokes.

J. F. H.

**THE MUSIC OF FREEDOM.** Cork : The Risen Gaedheal Press.

This is a poem in varying metres, stanzas, and divisions ; in blank and rhyming verse, according to the mood of the writer. It attempts to rouse the sons of Erin to a sense of the



unhappy plight of their mother. She is a slave, and her chains are riveted by their ignorance and apathy; she is dying of depletion and their careless vision will not see the remedy. The poet calls on them to be up and doing: he would teach them love of country, strong determination to win their right, hope, and the necessity of union. These are the themes of the songs of the Zephyr, the Sea, the hills and the streamlet. 'Put away hatred from your hearts and fight for the right because it is your right,' is a lesson that he frequently reiterates. He ends with an appeal to the men of the North.

The sentiments indeed are unimpeachable, but the poet is prolix and inclined to prose, and the patience of the ordinary reader will, we fear, have been exhausted before he has succeeded in eliciting the author's purpose.

The call is 'to arms,' but it would seem that the poet does not intend that it should be taken literally. There are many invocations, but we cannot confess to the stirring of the blood, 'moved as with a trumpet,' such as the ballad poetry of the *Nation* evokes. The themes of the poet have been worked out so often and so well in the ephemeral literature of recent times, in our national daily papers and weeklies, that his prophetic message is belated. There is no freshness in the subject: but even old metal may be made to kindle and glow until it dazzles; here, however, the fire is not strong enough to heat to incandescence.

MEDITATIONS AND DEVOTIONS. By Cardinal Newman.

In three separate Parts, 1s. each, net. London: Longmans, Green & Co.

The size and price of Cardinal Newman's *Meditations and Devotions* have prevented many from becoming familiar with a very beautiful and instructive side of the Cardinal's mind and life. The book is now divided and printed in three separate parts: 'The Month of May,' 'Stations of the Cross,' 'Meditations on Christian Doctrine;' and the publishers hope that it will thus be found more accessible and convenient for use.

THE WRITINGS OF ST. FRANCIS OF ASSISI. London: Burns & Oates. Price 2s. 6d. net.

This is a new translation into English from the original texts according to the French edition of Father Ubald d'Alençon, O.S.F.C., by the Countess de la Warr. To Father Luke Wadding belongs the honour of making the first attempt to collect all

the writings of the sweet Saint of Assisi. He felt justified in including in the *Opuscula* not only all the pieces that preceding collections handed down as the handiwork of the Saint, but many *dicta* of the Saint found in the early legends. Many editions of St. Francis' writings have appeared since Wadding's day, but until quite recently they have been mere translations into the different languages of Wadding's *Opuscula*.

The revived interest in recent times in matters Franciscan has set the higher critics at work. Boehmer and Goetz, professors at Bonn and Munich, have published critical works on the *Opuscula*, and Father Ubald d'Alencon, a new French translation in the light of present-day criticism, entitled *Les Opuscules de Saint François d'Assisie* (Paris: Poussielgne, 1905). The Countess de la Warr has given us an excellent English translation of the latter work. Although the translation has been anticipated by Father Pascal Robinson's fine American (Dolphin Press) edition of the writings of St. Francis, there is, we hope, abundant room for the two books.

THE LEGENDS OF THE SAINTS. An Introduction to Hagiography. Translation by Mrs. V. M. Crawford from the French of Père Delahaye, S.J., Bollandist. The Westminster Library. A series of Manuals for Catholic priests and students. Edited by the Right Rev. Mgr. Bernard Ward and Rev. H. Thurson, S.J. London: Longmans, Green & Co. Price 3s. 6d. net.

The Right Rev. and Rev. Editors in a preliminary note set forth their reasons for including 'a work which has everywhere won high commendation abroad from scholars of all shades of opinion' in the Westminster Library. To set forth the nature of the work a reviewer cannot do better than transcribe their words:—

'For those who, whether as a matter of duty or of devotion, are accustomed to recite the Divine Office with its historical lessons, for those again who, as the Church's local representatives, are often asked to explain difficulties regarding the *cultus* of the Saints, for all, in fine, who take an interest in the discussions upon pagan survivals provoked by so many of our modern folklorists, it has been thought that a translation of Father Delahaye's *Legendes Hagiographiques* would be likely to prove a welcome addition.'

We may only add that the translation is well done.

THE DEGREES OF THE SPIRITUAL LIFE. A Method of directing Souls according to their progress in Virtue. By the Abbé A. Sandreau. Translated into English by Dom Bede Camm, O.S.B. London : Washbourne, Ltd. Two Vols. Price 10s.

This work is primarily intended for priests and religioso, and may be described as a classic work on ascetic theology and the guidance of souls. The Abbé Sandreau has no new doctrine of his own to proclaim, his work has been to gather together, to expound, and co-ordinate the teachings of the saints. The *Interior Castle* of St. Teresa is the foundation of his work ; indeed, his treatise is a commentary of that masterpiece of mystical teaching, but the author has illustrated his subject from the writings of innumerable other saints, and made his work a handbook of the science of perfection.

The original has run through three large editions in French ; it has been translated into many languages. It is hoped that it will become equally popular in its English dress.

BEDE PAPERS. By the Rev. Charles E. Ryder. London : Art and Book Co., Cathedral Precincts, Westminster. Price 2s. 6d. net.

This is a collection of seventeen Essays read for the Bede Association of Priests in the Diocese of Westminster. The essays are on theological, social, artistic subjects, and all bear evidence of a thoughtful, well stored, and highly cultured mind.

A PULPIT COMMENTARY ON CATHOLIC TEACHING. A Complete Exposition of Catholic Doctrine, Discipline, and Cult in Original Discourses by Pupil Preachers of our own Day. Vol. I. The Creed. New York : Joseph F. Wagner. Price \$2.

Not many words are needed in reviewing this volume. The name of the publisher is now well known in the field of homiletics, and the names of the preachers stand for high-class, sound, and thoughtful sermons. Only that it were invidious to do so I should like to single out some names in particular. There are fifty-three sermons in all, and the volume will be a very useful addition to the homiletic department of a priest's library. It will be also very useful for the educated laity as



many of the sermons present certain dogmas of our faith in a very telling and attractive form. The binding and letter-press are done in the usual efficient style of American publications.

THE BOYS OF BALTIMORE. By A. A. B. Stavert. London : Burns & Oates. Price 2s. 6d.

This is a graphic tale of the adventures of two lads who were kidnapped by the Algerian pirates in the Sack of Baltimore, and borne off to Algiers in the reign of Charles I. The Sack of Baltimore, the life of the crew of the pirate ship, the cruelties of Algiers, the lads' escape and presentation to Charles I, incidentally the side glimpses of Oliver Cromwell, Laud, Wentworth, are only a few of the elements of interest in an excellent tale for boys or for parochial libraries.

THE STORY OF ELLEN. By Rosa Mulholland. London : Burns & Oates. Price 5s.

The publication of this, the *first book* of the gifted authoress, will be welcomed by many to whom her beautiful stories are a recreation at once healthful and profitable. The plot is marked by the usual dramatic interest, and works out for the heroine through many tribulations to a happy close.

THE QUIET HOUR AND OTHER VERSES. By Emily Logue. Philadelphia : Peter Reilly ; Dublin : Browne & Nolan, Ltd.

This is a collection of brief poems, many in sonnet form, on religious subjects. They are full of deep thought and feeling, and the verse has a sweet, subdued music of its own. They are short 'swallow-flights,' relating to different moods of the soul, sometimes to human friendships, but most frequently mounting to the seraphic isolation of the soul with its Creator and Redeemer.

MY VERY OWN AND OTHER TALES. By S. M. Lynne. Price 2s.

CHILDREN OF LIGHT AND OTHER STORIES. By M. E. Francis. Price 1s.

These are two recent collections published by the London Catholic Truth Society, and will be found useful for school prizes and domestic reading.

THE SECRET OF THE GREEN VASE. By Frances Cooke.  
Benziger Brothers. Price 4s.

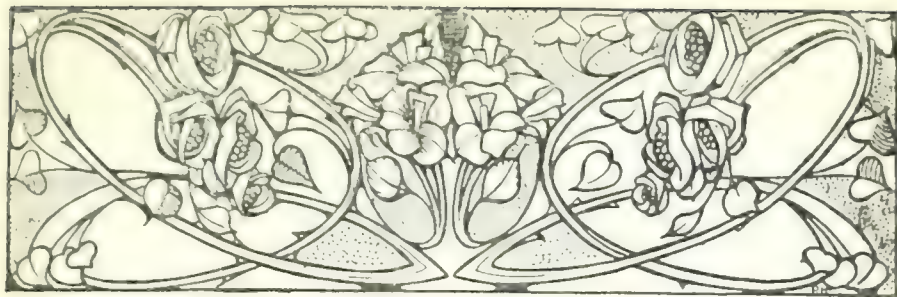
This is an edifying tale of injury forgiven ; of much suffering and of happy termination. The plot is ingenious, if not probable, and the characters well drawn.

PRACTICAL PREACHING FOR PRIESTS AND PEOPLE. Twenty-five Short Sermons on Doctrinal and Historical Subjects, with a Synopsis of each Sermon. By Bernard W. Kelly, Priest of the Diocese of Southwark. London : Thomas Baker, 72, Newman Street. 1907. Price 4s. net.

The order, arrangement, binding and letter-press at once commend themselves and seem to invite a perusal. The sermons are what the author claims for them, short and practical. Words are not wasted ; the writer has something to say in each sentence, and he says it. It strikes me as the work of a man who is a diligent student, and who has been accustomed to prepare his sermons with great care. I wish it the success it deserves. I beg to call attention to a mistake in a proper name on page 174—two distinct names are combined into one.

SHORT SERMONS FOR LOW MASSES FOR ALL SUNDAYS OF THE YEAR. By F. Heffner, Priest of the Order of St. Norbert. Vol. III. New York : Joseph F. Wagner. Price \$1.

The sermons, though short, contain much condensed subject-matter, and are very suggestive. Like a sonnet, a short sermon is not as easy as it may appear at first sight, and few there are who can express much in a short space. The present writer, however, has succeeded, and I own that I felt much pleased with the little volume of a hundred and fourteen pages, and can warmly recommend it.



## 'APPEARANCE' AND 'REALITY'—I

### I.

**I**F it were not profane to speak of 'catch-cries' in the calm regions of philosophical speculation, the epithet might justly be applied to such assertions as we meet with in current philosophy to the effect that 'All Knowledge is of the Relative, the Contingent, the *Phenomenon*' ; 'The Absolute Being, the Ultimate Reality, the *Noumenon* is Unknowable' ; 'The Direct and Immediate Object of Knowledge cannot be other than the Knowing Mind Itself' ; 'We can know nothing but our own Mental States' ; 'Mind cannot transcend Itself to know what is distinct from Mind' ; 'We can know Reality *only* as it is *revealed to, and manifested in, Consciousness* (i.e. as *Phenomenon*), but *never as it is in itself* (i.e. as *Noumenon*).'

Modern Philosophy is full of such half-truths—for they *are* half-truths, and hence, of course, all the more dangerous.<sup>1</sup> They are accepted without question both by Empirical or Phenomenal Idealists, who would fain reduce all Knowledge to sensations and all Reality to something like John Stuart Mill's 'sensations *plus* permanent possibilities of sensations' ; and by Transcendental Idealists of the school of Kant, who, admitting the reality of Being above and beyond and distinct from, conscious sensation and thought, nevertheless maintain that this Being as it is in itself evades and transcends the sphere of *speculative*

<sup>1</sup> Cf. I. E. RECORD, May, 'Subject and Object in Knowledge and Consciousness,' p. 488.



cognition and must ever remain *theoretically* unknowable.

I have already referred briefly elsewhere<sup>1</sup> to the initial attitude of those Idealist schools of thought towards the problem of Knowledge, as compared with the Scholastic attitude of Moderate Realism. In the context referred to I suggested two main questions well worthy of a little consideration—(a) the validity or invalidity of the plain man's realistic interpretation of sense knowledge to the effect that there exists a real, material world, distinct from his own mind, and (b) our capacity or incapacity to acquire through the medium of our cognitive faculties (senses and intellect or understanding), any genuine or reliable knowledge of anything beyond mere mental 'appearances' or 'phenomena,' i.e. of *any reality whatsoever*.<sup>2</sup>

The purpose of the present paper is to suggest some considerations on the former of those two questions: Phenomenism *versus* Realism; leaving over the other for a future occasion.

## II.

The problem now before us is, therefore, the following: Whether the plain man is justified in thinking that he can by means of his external senses attain to a knowledge of *another* reality besides himself, of a real, material world, independent of himself; whether those phenomena which are revealed to him through his external senses, do in very truth constitute a *real, external* or *outer* world, really distinct from, and independent of, his sentient perception of it?<sup>3</sup> Those who defend the general trustworthiness of the external senses and of the plain man's interpretation of their data, are called Realists; those who contend that we have no rational basis for interpreting the data of sense knowledge as guaranteeing the existence of a material world, extramental and independent of sense-perception, are called Phenomenal Idealists or Phenomenists.

The former maintain that we can, by properly inter-

<sup>1</sup> I. E. RECORD, May, p. 486.

<sup>2</sup> *Ibid.*, p. 487.

<sup>3</sup> *Ibid.*, pp. 485, 487.

preting the data revealed to us in sense-consciousness, know with certitude (a) the *existence* of a material world *really distinct from the perceiving mind*, and (b) something, moreover, about the *nature* of this material world.<sup>1</sup> The latter maintain that the 'outness' of such a world, its independent existence *really* distinct from the individual perceiver's mind, is neither rationally evident nor rationally demonstrable; that, therefore, belief in such a really and independently existing material world is for the individual a rationally groundless belief, a belief, which, instinctive and naturally inevitable as it is, is nevertheless shown by reflecting reason to be for aught we know a delusion.<sup>2</sup>

The present question is, therefore, immediately concerned with the *intellectual judgment* by which we *interpret* the data of external sense experience: is our judgment that 'there is a material world independent of the perceiving mind,' a valid, well-grounded judgment, or should these same sense data be rather interpreted as revealing to the perceiving mind a world *not really distinct from itself*?<sup>3</sup>

<sup>1</sup> Cf. Rickaby, *First Principles*, Part II., ch. ii., p. 258, synopsis.

<sup>2</sup> Taine, for instance, because he cannot imagine *how* sensations of sight, hearing and touch, taking place as they do *within* us, can reveal to us anything *outside* us, contends that our belief in the 'objectivity' or 'externality' of the data of these senses is an hallucination—not, however, a 'false' one but a 'true' or 'veracious' one, inasmuch as it is the normal result of an instinctive process of 'exteriorization' on our part. This is scarcely better than mere quibbling. Hallucination is the mistaking of an imagination-image for an object of external perception; the attributing of objectivity to what does not possess objectivity. It implies comparison with some act taken as normal and referred to as a standard: it is itself something essentially spurious or abnormal. We could have no conception of what an hallucination is without a conception of what a genuine or normal perception of objectivity is; and to speak of this latter sense perception as a 'normal' or 'true' hallucination is to take questionable liberties with language instead of facing the real difficulty. The question *how* those conscious states of seeing, hearing, touching, etc., are inseparably bound up with that feeling of the 'outness' or 'externality' of their objects is in nowise explained by calling them 'true hallucinations' any more than by calling them, as they are commonly called, external sense perceptions. Cf. Mercier, *Psychologie*, vol. i., p. 172.

<sup>3</sup> 'When intellectually we judge that there is an outer material world, having really such and such properties, then we have the act which this chapter is concerned to prove generically valid.' Rickaby, *op. cit.*, p. 267.

## III.

There is a kindred question which regards primarily the nature of these sense data themselves: the question of the origin, growth, and development of sense knowledge in the individual mind. This is a purely psychological question: it does not inquire into the *representative* value to be attached to sense-cognition. It ought, therefore, to be recognized as distinct from this other, which is a criteriological, question: Whether external sense-perception does or does not give us sufficient data for judging intellectually, with certitude, that there exists a material world really distinct from the individual's perceiving mind?

The question of the nature, origin, and development of sense-perception is, however, so inseparably connected with that of our intellectual interpretation of sense data, and one's views on the former question have such a profound influence on his solution of the latter, that it has never been found feasible to treat each separately: and the simultaneous treatment of both has tended not a little to confuse them.

The first, or psychological question, is one which, I believe, derives its chief difficulties from our mental attitude on the second or criteriological one. Not that the former is without its own difficulties. No one will deny the need of acute and delicate powers of introspection, of long and patient and painstaking observation and analysis of the sentient activities of child-life from birth onwards—for the accurate determination of the contents of our earliest conscious states. It is by no means an easy matter to distinguish the *primitive* and *original data* of sense-cognition from what are really superadded interpretations, beliefs, opinions, inferences of the individual, concerning those primitive data. It is, for instance, universally admitted that the senses of sight and touch do not enable the infant *from the beginning* to locate objects so definitely in space as afterwards *in mature life*,<sup>1</sup> nor even to distin-

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<sup>1</sup> Cf. I. E. RECORD, April, p. 402.



guish 'itself' from 'other (material) things.'<sup>1</sup> What, then, or how much was at first presented to the infant's consciousness? Most probably a vague feeling of a voluminous continuum containing no conscious distinction of 'self' and 'non-self.' And when did that difference of tone or quality—which was afterwards interpreted by intellect as distinguishing 'self' from 'non-self'—first draw a dividing line for sense-cognition between two great groups of those primitive data? At 'the period too remote to be remembered—when we gradually discriminated between our own organic selves and the rest of the material world.'<sup>2</sup>

## IV.

The difficulty of arriving at certain answers to those and such other questions relating to the development of sense-cognition will be easily admitted by all. But the enquiry whether *some* element of extension was given as an original *datum* of sense consciousness, or whether on the contrary the child's primitive conscious states contained absolutely no element of extension but were completely 'simple' or 'non-spatial'; and the enquiry whether our perception of a third dimension of space, of objects in relief, of the 'outness' of distance, space and material 'things' as located in 'space,' has been developed from primitive non-spatial data or from data containing an original presentation of extension: these are questions which seem to have been raised not so much on their own merits as on account of the difficulty of the second or criteriological problem—*Does* the individual mind, or *can* it, or *how* can it, perceive a world outside, other than, and distinct from, itself?

I have already expressed my belief<sup>3</sup> that the attempts of writers like Mill and Bain to account for the genesis of the ordinary sense-perception of mature life from conscious states originally 'simple' or 'non-spatial,' were inevitably foredoomed to failure. If it is difficult to explain how the

<sup>1</sup> I. E. RECORD, April, p. 404.

<sup>2</sup> *Ibid.*, pp. 405, 406.

<sup>3</sup> *Ibid.*, p. 408, footnote 2; p. 410.

adult individual's normal perception of *space* and *distance* and *perspective*, has been gradually developed from the more rudimentary spatial perceptions which did not originally present these finished 'percepts' to his infant mind, it is simply impossible to derive these latter from original data that are claimed to have been absolutely 'simple' and entirely devoid of any presentation of extension whatsoever. If some, at least, of the *child's* original sensations—those of sight and touch—did not reveal from the beginning *some* element of extension, the normal sense-perception of the *adult* could never reveal to him what it really does: a world of material objects situated *outside* him, at a *distance* from him, and from one another, in *space*.

## V.

Granting this, then, to be impossible, I next ask myself this further question: Does the presentation or presence of *extension* in my earliest sensations involve this point, also, that the extended, material<sup>1</sup> objects thus presented, are beings *really distinct from*, and *other than*, my individual self; or, on the other hand, supposing there were really no element of extension whatsoever in any of the original data of my consciousness would it necessarily follow that such really 'non-spatial' objects of cognition could be only states or modes of my own perceiving self—that they could not be distinct beings, *really distinct from* my own self? I have a suspicion—in which, however, I fear I may be deceived—that phenomenal idealists of the school of Mill and Bain thought they would have disproved the existence of a *real distinction* between the perceived material universe and the perceiving mind, and reduced the former to the level of some sort of an expansion or projection or 'outward' evolution of the individual consciousness, if they could only succeed in showing that the primitive data of this same individual mind were absolutely 'simple' and 'non-spatial'; and I have another suspicion

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<sup>1</sup> I use the terms *extended* and *material* as synonymous here, because it is through extension mainly that matter is revealed to sense.

—of which I am a little more confident—that some defenders of Moderate or Scholastic Realism believe they have vindicated against Idealism the reality of a Material Universe, *really distinct from the perceiving mind*, when they have proved against Mill, Bain, and the Associationist school, that some of the primitive data of sense-consciousness must have contained an element of extension.<sup>1</sup> And perhaps these latter are right in identifying the perception of *extension* with the apprehension of *otherness*. If Mill and Bain do so, why should not those who defend Realism against them?<sup>2</sup> And unless Mill and Bain mean by the 'extensional' or 'spatial' character of conscious data the irresistible feeling of their 'externality' or 'objectivity' or 'real otherness' in relation to the perceiving mind; and by the 'simple' or 'non-spatial' character of such data the feeling of their 'real identity' with the perceiving mind; it is hardly likely that they would make a serious attempt to show how 'spatial' could be evolved from 'non-spatial' data: if 'simple' or 'non-spatial' merely meant 'devoid of extension' (like sensations of sound or smell, for example), and if 'spatial' meant 'presenting extension' (as normal sensations of sight and touch do), I fail to see how any serious thinker could attempt to 'evolve' the latter from the former.

No less hopeless, indeed, is the task—as we shall see presently—of 'creating' or 'evolving' a belief in the *real otherness* of material objects, from data assumed to have been primitively mere 'phases' or 'modes' or 'states' of the *conscious subject*. Mill and Bain, in their attempt

<sup>1</sup> Cf. I. E. RECORD, April, pp. 405-407.

<sup>2</sup> The following extract from Father Maher's *Psychology* (p. 115) will illustrate the identification of 'simple' with 'subjective,' and of 'spatial' with 'extra-mental' or 'objective.' Arguing against the phenomenism propounded by Mill and Bain, he writes: '... we must deny *in toto* that sensations, muscular or any other, viewed in themselves as purely subjective, non-spatial feelings, could ever by any process of addition or transformation be worked up into an apparently extra-mental world. It is only by the surreptitious introduction of extended elements that an extended product can be effected; and the great use made of the muscular sensations in the empiricist theory is due to the fact that the illicit transition from the asserted originally subjective signification of motor sensations to the objective meaning implied in ordinary beliefs is liable to escape notice. . . .'



to accomplish the latter task, include the former : and their apparent success in deriving our belief in the existence of 'extended' 'objective' things from 'simple' 'subjective' feelings is very clearly shown by Father Maher in his *Psychology*<sup>1</sup> to be due to the fallacious confusion of two completely different meanings in the use of such terms as 'duration,' 'velocity,' 'sweep of a limb,' 'range of an arm,' 'organism,' 'muscle,' 'measurement,' etc.—

the signification . . . legitimate on *their* [the phenomenists'] principles [which should *exclude* from conscious data all 'extension' and 'objectivity' incompatible with the real identity of these data with the 'simple percipient subject'] and the alleged erroneous meanings which these words convey to the *vulgar mind* [meanings alleged to be 'erroneous' because they essentially *include* the concept of these data as things *really extended* and *really distinct* from the percipient mind].<sup>2</sup>

If phenomenists assume that individual consciousness starts from 'simple' data they can never explain our consciousness of 'extension' unless they smuggle in the latter element at some stage in their explanation of the 'process of development.' I fail to see why they should make, or how they can make, any such assumption ; except indeed by 'simple' they mean 'subjective,' 'purely mental or conscious': for in this case their assumption would really be that the primitive conscious data of the individual contained no element of *real otherness*, and the reason for such an assumption would be, presumably, that *it is impossible for the mind to perceive directly and immediately anything really distinct from, and other than, itself and its own phases or states.*

## VI.

[Starting from this latter assumption : that the mind has not and cannot have any direct and immediate knowledge of anything *really distinct* from itself, it appears to me to be obviously impossible to maintain that the mind can 'mediately' and 'indirectly' reach a *valid* knowledge

<sup>1</sup> pp. 110-117.

<sup>2</sup> *Ibid.*, p. 116.

or a *rationally well-grounded conviction* that any being or reality, *really other than itself*, exists. If I have no *immediate* intuition of any reality other than my own mental 'states,' no 'explanation' will account for the 'mediate' 'genesis' or 'growth' of a *valid* conviction in my mind that there exist beings *really other* than myself. Mediate knowledge comes through immediate: if my belief in the *real otherness* of perceived objects is not a mere delusion it must be based on my *immediate perception* of objects *really other* than myself: if there *are* such, real and *really distinct from my mind*, then my mind must have at some point come into *immediate*—mental—contact with them. That my mind can and does, in some cognitive acts, come into direct and immediate contact with a reality, or with realities, other than itself, I simply cannot help believing to be a fact: yet, that there are difficulties in explaining *how* this can be, that it is more or less a mystery, I freely admit:<sup>1</sup> that the 'known object' must be somehow or other *made one with*, and *united or related to*, the 'knowing subject' I see to be absolutely necessary for every act of knowledge: *cognitum est in cognoscente*: to speak of knowing a 'thing-in-itself,' meaning thereby a thing standing completely apart and separate and isolated from the knowing mind, and out of all relation to it, is to speak self-contradictory nonsense: but what I do not see or admit to be necessary for the act of knowledge is—the very assumption that lies at the basis of all idealism—that the known object must be always and necessarily *really identical with*, i.e., *one and the same thing with*, the knowing subject.

I think every candid Idealist should admit that this assumption will lead him *logically* to the extraordinary conclusion that he himself is the only Real Being in existence! He avoids the uncomfortable and unenviable loneliness of Solipsism only by setting at defiance the logic of this simple inference: 'If no cognitive act of mine reveals or can reveal to me, as an IMMEDIATE *datum*, any object or being *really other* than my knowing self, then let

<sup>1</sup> Cf. Rickaby, *First Principles*, pp. 267, 268.

me argue and reason and infer as I may, let me summon to my aid whatever rational principles I please—even the principles of Causality and Sufficient Reason themselves—since I have got these and all principles from data revealed directly to my mind, i.e. from data which, *according to my own fundamental assumption, are only modes or phases of my knowing self*,<sup>1</sup> it is clearly futile for me to try, by their aid, to transcend my own self or to argue to the *real otherness* of anything that I know: for me, therefore, the material world, other men, other minds, everything in fact, is an evolution or expansion of my own self'!

## VII.

The idealist usually recoils from a conclusion so palpably repugnant to the dictates of sane reason and to the instincts of his whole nature. In defiance of his assumption, or rather by tacitly including a very convenient and elastic 'sub-conscious' section in the 'knowing mind,' he usually grants the same degree of reality to other *human minds* and *bodies* as to his own, and softens down the hard conclusion of Solipsism into the easier issue of Pantheism by inferring that all *material* phenomena (including *human bodies*) are only 'aspects' of mind, and that all *human minds* are only transitory, conscious 'phases' in the unending evolution of One Universal Mind, which is the Sole Reality in existence (Idealistic Monism).

I do not say that this is the only ultimate explanation of Reality proffered by the idealist. I am mindful of the Theistic Idealism of Berkeley. But either type will serve equally well to illustrate my present purpose, which is to point out certain complaints—of misrepresentation—which idealists urge against realists, and certain counter-complaints—of unwarrantable and misleading use of language—urged by realists against idealists.

The idealist complains that we do not give him credit for admitting and recognizing, as he avows he does fully admit and recognize, the reality of other men and of all

<sup>1</sup> Cf. *infra*, p. 131.



the other objects that make up the material universe. And indeed there must be a sense in which he does admit their reality. To try to convince an idealist of the reality of matter by setting your dog at him or knocking his head against a stone wall is an insult to his intelligence no less than an assault upon his person. He admits—in some sense which he himself at least considers sufficiently *real*—the *reality* of these objects, but the question is: *In what sense* does he admit it, or, *how* does he *interpret* their *reality*, and *especially* their *distinction from*, or *identity with*, his own mind?<sup>1</sup>

Suppose that you, a realist, try to convince him of the reality, distinct from him and you, of the external world of sense, by arguing that the various external sense organs of his body were manifestly formed for the purpose of perceiving those external, material objects around both of you, his eyes for seeing, his ears for hearing, etc.; he will, or at least he may, admit that teleological argument of yours to be quite conclusive, but he will probably go on to remind you that he admits the reality of his own *body* and *sense organs* not *in your way*, but only in the same way as he admits the reality of the whole external, material world, namely, as *data* or *moments* or *elements*—‘objectified’ elements, perhaps, he will say—of his own consciousness.

Whereupon, you, the realist, will probably begin to feel that you in turn have a grievance against him. You may possibly begin to suspect that there is perhaps no great *real* difference between your views and his,<sup>2</sup> but whether this be so or not, you will think that he is certainly taking unwarrantable liberties with language if he speaks of things as ‘material,’ meaning thereby ‘appearances

<sup>1</sup> Note how important it is that there be absolutely no ambiguity about the meaning attached by both disputants to the expression ‘real distinction.’

<sup>2</sup> An idealist might conceivably mean, by saying that ‘we can know nothing except what is in consciousness,’ exactly what the realist means by saying that ‘we can know nothing except what is united, connected, related somehow, with the knowing mind.’ If they did mean really the same thing they should endeavour to come to an understanding about the use of such terms as ‘otherness,’ ‘real distinction,’ etc. Cf. *infra* p. 125.

produced by the evolution of mind'; if he says 'external' and yet means 'within his own mind'; if, when he talks about 'things' he means no more than 'ideas' or 'vivid states of his own consciousness'; if by 'extension, impenetrability, colour, and the other properties of matter' he means 'sensations of extension, of colour, etc., and the properties of these sensations.'<sup>1</sup> And you will feel justified in telling him that if he is commonly misinterpreted, it is entirely his own fault; that he has no right to throw the mantle of his own subjective consciousness as it were around all things, and to insist that this garment shall become part and parcel of the meaning of language.

He may perhaps say that this is not quite his demand: that other minds perceive the material world in the same way, presumably as his own, and that he demands rather that an important fact should not be lost sight of but embodied in the very meaning of the names of material things,—the fact, namely, that these latter are not and cannot be ultimately *distinct from* or *other than* mind or consciousness itself. Whereupon, if you now go one step further and ask him *why* he thinks so, his answer will in all probability take the form of one or other of the familiar old idealistic assumptions enumerated at the head of this article, as, for instance, that he considers it 'impossible for the knowing mind to transcend itself by attaining to anything other than itself.'

#### VIII.

It will be useless for you perhaps to ruffle his equanimity by again reminding him that he is logically inconsistent in holding that the knowing mind cannot attain to knowledge of anything other than itself, and holding at the same time that there *are other minds* in existence besides his own. But, it will perhaps serve a very useful purpose to ask him what exactly he means by saying that *the mind, in*

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<sup>1</sup> Cf. Mill's admission that a 'material object' is merely 'one or two *actual* feelings, with the belief in a suite of others as possible.'—*apud* Maher, *op. cit.*, p. 112.

knowing, can know only what is itself: for you, too, remember, realist as you are, admit that in the act of cognition the knowing subject and the known object are in some true sense *one*;¹ and he may have put you on the defensive by retorting that your 'realist' assumption that the mind can know *something really other than itself*—is at least as gratuitous and no whit more evident than his own opposing 'idealist' assumption that mind can know *only its own states*.² He will probably admit that he has only negative evidence for his own assumption: his inability to see *how* the known object can ever be *really distinct* from the knowing subject. In regard to this, you may point out that *real distinction* does not at all imply *total isolation* or *separation*, and that the known object, even though it be really distinct from the knowing subject, must nevertheless be always mediately or immediately³ *related to, connected or united or made one with*, the knowing subject. You will go on to suggest how this union of *really distinct* beings, subject and object, may conceivably be effected in the act of cognition: that it is conceivable at least, i.e., not intrinsically impossible, that some object which we call a material thing may, even though it be a being *really other than* the perceiving subject or mind, nevertheless *act efficiently* on the latter, *influence* it in some way (that we

¹ Cf. St. Thomas, *Summa Theologica*, 1a, xiv., 2, c.: *sensibile in actu est sensus in actu, et intelligibile in actu est intellectus in actu*; 1a, lv., 1, 2; 1a, lxxv., 2, 1; 1a, lxxvii., 1, 3.

² 'That we can know only our own mental states, that we cannot apprehend material reality as affecting us is neither an *a priori* nor a self-evident truth,' observes Father Maher (*Psychology*, p. 115) in criticism of the idealist. But may not the latter retort that neither is the opposite self-evident? That we *spontaneously believe* the perceived material world to be *other* than the perceiving mind the idealist admits; what he doubts and what we have to prove against him is, that this belief in its 'reality' and 'otherness' is well-grounded.

³ '. . . what is known must be set in relation to the mind, and can only be known in such relation. . . . What is given in one or more relations may necessarily implicate other relations, and these may subsist, not merely between the mind and other objects, but between the several objects themselves. Still, *mediate cognitions* of this sort are knowledge only in so far as they are *rationally connected with what is immediately given*. Our knowledge of the mutual dynamical influence of two invisible planets, which faithfully reflects their reciprocal relations is but an *elaborate evolution* of what is apprehended by sense and intellect in *experiences where subject and object stand in immediate relations*.' Maher, *Psychology*, p. 158 and footnote (*italics mine*). ,



may not indeed be able positively to imagine or picture to ourselves<sup>1</sup>) and so *stimulate* the mind as to *cause* the latter to *become aware* of the material thing or object acting upon it.

You may, perhaps, next remind him that men are *spontaneously* realists, in believing naturally that the world of phenomena or appearances which they call 'matter,' 'extension,' 'space,' etc., and which they find revealed to them through their senses, is a *real* world, *really distinct* from their perceiving minds. If he agrees with you so far you may proceed to offer him the following line of argument,<sup>2</sup> with a view to convincing him that the plain man *is right* in trusting his senses, or—to express the point more accurately—in *judging* spontaneously that these data constitute realities distinct from his own conscious, percipient mind.

## IX.

All argument must suppose some common ground on which the disputants are at one. Here fortunately there is much to agree upon. That his own states of consciousness at all events are real, no idealist has ever seriously denied. The most thorough-going idealists—including

<sup>1</sup> 'The fact' writes Father Maher 'that we are unable to imagine *how* matter can act upon mind or *how* mind can become immediately cognizant of something other than itself is no objection against the clear testimony of consciousness as manifested after the most careful introspection that the mind does immediately perceive something other than itself acting upon it.' *Psychology*, p. 115. I should rather confine myself to saying that such inability 'to imagine how . . .' does not prove that the thing is impossible. In appealing to 'the clear testimony of consciousness, as manifested by the most careful introspection,' Father Maher presumably has in mind the evidence which can be adduced in favour of Realism from careful reflection on the *real* data of consciousness. These latter must be the same for realist and idealist alike (Cf. I. E. RECORD, April, p. 409; Rickaby, *First Principles*, pp. 268, 269). The question between realist and idealist is a question of interpreting them: the question whether these data are *extra-mental realities*, really distinct from, though somehow united (by the act of cognition) with, the perceiving mind; or, on the contrary, are purely and exclusively *subjective* or *intra-mental*, even though they carry with them an overpowering impulse to judge them as having real existence independent of the individual's mental perception of them. A simple appeal to the data themselves will not therefore settle the question.

<sup>2</sup> The line of thought suggested below has been adopted mainly from Mercier's *Critériologie* (5th edition, pp. 384-389); in part also from Rickaby's *First Principles*, pp. 268 seq.

Hume himself, perhaps the most fearlessly consistent of them all—are at one in acknowledging their certitude about *the fact of an internal conscious experience* of some sort. Mill even admits that in the act of external perception consciousness *gives* him the *double fact* of his own existence and the existence of something else perceived, and insists on the reality of this presentation as a *subjective datum*. Kant is equally emphatic in teaching that 'the empirical content of the [sense] intuition is *given us from without*,' that 'knowledge results from the co-operation of a capacity *receptive of impressions* and of a capacity spontaneously productive of concepts, the *data being given us* in the former process.' Notice the admission that there are *data*—things *given* to the perceptive mind. And,—having raised the question: *whence* are they given, or *whence* do they come?—pass on to analyse further this inner world of consciousness and to note some other admissions about it.

That consciousness consists of a clearly marked *double* series of states is a universally recognized fact: there is the more vivid series of states that are not completely under my control but largely independent of my wishes, and under which I feel myself *passive*; and there is the less vivid series over which I can exercise at will a large measure of control and in whose production I feel myself rather *active* than acted upon by something other than myself. The distinction between the two series is for the most part unmistakably clear: they have opposite characteristics. In the former there is what Fichte calls a *feeling of necessity*, *a feeling that I am suffering or undergoing the action or influence of something independent of myself*; in the latter there is a feeling of *inner spontaneity* and *power to direct and control* the flow of the current of conscious states. When I walk into the open fields and gaze upon the landscape and hear the song of the birds and the rustle of the leaves and feel the warmth of the summer sun and the odour of the sweetly scented flowers in the breeze—I realize that I am *experiencing, undergoing* the *influence* of of something that is *not myself*. Now, these conscious

impressions or experiences of mine are *effects* which demand a *cause*: they come and go, pass and repass, are ever changing, must therefore have a cause; for they are not self-sufficing or self-explaining. But what is this cause? Is it I? Do I cause, produce, create them? No, I *undergo* them: I cannot cause in myself the *sensation of seeing* London, for example, by merely wishing it, as I can cause a *recollection*, a *fancy*, an *imagination-image* to come into consciousness. If I want to see London I must not merely *wish* to see it: I must *go there*. And so of all other sense perceptions of material things and their properties,—even of the internal organic and muscular sensations of heat, cold, organic pleasure and pain, etc.<sup>1</sup> All these are somehow independent of me, do not depend on myself alone: *therefore, there MUST BE, besides myself*,<sup>2</sup>

<sup>1</sup> The 'two *real divisions*' of conscious data, referred to in the text as the basis of our argument, are not 'my body' and 'bodies outside mine' as Father Rickaby states (*First Principles*, p. 268), but rather the data of imagination, memory, reveries, dreams, etc., the 'images' or 'faint ideas' that are so largely under my own control and have such an element of arbitrariness and incoherence in them, on the one hand: as opposed on the other hand to the 'perceptions' or 'ideas of sense' as they are sometimes called: the states that carry with them such a feeling of being provoked by something other than my perceiving mind, whether this 'other thing' be my own body or some external body. The idealist has to be convinced of the *real otherness* even of *his own body* (no less than of the rest of the material universe) as compared with his percipient mind. The duality or distinction on which the argument rests is not that emphasized by Bain between the 'attitude of mind when surveying a tree or a mountain,' and 'when luxurating in warmth or suffering from a toothache' (*Ibid.* p. 272), but rather between those conscious states which the mind feels to be the product of its own activity simply, and those which it feels to be produced at least partially by something that is not mind. Cf. I. E. RECORD, April, p. 409; Maher, *Psychology*, p. 107.

<sup>2</sup> Not merely 'there *may be* a real something which is the *cause* of our experience' as Huxley admitted (*Hume*, c. iii., p. 81, *apud* Rickaby, *First Principles*, p. 273; italics mine), but there *must be*,—if the facts are to be at all *rationaly* explained in accordance with the self-evident principles of Sufficient Reason and Causality. There is, I admit, an alternative; but is it a rational one? Here it is in Huxley's own rhetorical periods: 'For any demonstration that can be given to the contrary effect, the collection of perceptions which makes up our consciousness may be an orderly phantasmagoria, generated by the Ego unfolding its successive scenes on the back ground of the abyss of nothingness; as a firework which is but cunningly arranged combustibles, grows from a spark into a coruscation, and from a coruscation into figures and words and cascades of devouring flames, and vanishes into the darkness of night': which, expressed in the sober, philosophical language of common sense, means that the whole world of sense-phenomena



another reality, which CAUSES in me these conscious states ; which other reality I call the Material Universe.

The cogency of these considerations will be increased by reflecting on the manifestly opposite character of those other states of consciousness—memories, reveries, fancies, dreams, etc.—which are regarded by the conscious mind as being (with certain wide limitations) its own products ; on their spontaneity, incoherence and unsteadiness as contrasted with the independence, regularity, stability of the former series ; and by asking ourselves could there be any intelligible explanation of the contrast, were both series alike mere states of phases of the percipient mind.

## X.

It may strike those who are acquainted with scholastic philosophy as strange that I have actually thought it necessary to *prove* the *existence* of the *external material world* by invoking the Principle of Causality. Have we not, they may ask, an immediate and direct intuition of its existence, and, if so, why try to prove it? Yes, we have undoubtedly a direct *sense-intuition* of external things,<sup>1</sup> and from that intuition we derive the abstract intellectual *notion* of what external existence is, and of what these external things are ; but that sense-intuition must not be confounded with the *rational* or *intellectual conviction* that 'external existence' can be truly predicated of these data ; in other words, with philosophic or reasoned certitude that the realist interpretation of these data is the correct one : that they *do* exist externally. 'We cannot *with philosophic certitude*, affirm or predicate *existence* about *extramental* realities without the aid of the Principle of Causality.'<sup>2</sup>

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may possibly be after all only an evolution of the sub-conscious portion of each conscious mind : the said sub-conscious portion being one single reality, *not really distinct* from individual minds, but really identical with them, and these in turn with one another ; which, finally, raises the question referred to already : 'What, then, is a *real* distinction ?'

<sup>1</sup> See above, p. 115.

<sup>2</sup> Mercier, *op. cit.*, p. 386.

The question, however, as to *how* the knowing mind, in the process of cognition, comes into conscious possession of such concepts as *cause* and *effect*, *substance* and *agent* and *action*, etc., *whence* it derives them, what is *their value* as factors for the interpretation of reality and the acquisition of knowledge, this brings us face to face with a final problem, but one of the most far-reaching importance. It suggests a doubt, which, if well founded, is believed by many to nullify the force of the whole argument just adduced for the distinct, extramental existence of a material reality, and to push us back hopelessly into the subjective sphere of conscious or mental appearances from which common-sense realism had apparently extricated us.

The difficulty emerges in this wise. I have been employing throughout my whole argument many of the concepts just referred to: *action*, *activity*, *passivity*, *influence*, *energy*, *cause*, etc. I have assumed, moreover, the universal validity of the proposition that 'whatever happens has a cause.' In other words, I have taken the Principle of Causality to be validly applicable to any and every conceivable object of thought, and have used it to infer that certain mental or conscious phenomena of mine must have extramental causes: meaning by extramental, something distinct, as a reality, from my mind—though, of course, *not totally isolated or separated* from my mind, for if it were I could not reach it by any mental inference or act whatsoever.

Now supposing that all those concepts referred to, were pure productions of my own subjective, thinking mind; that my sense-perceptions reached *directly* to no distinct or non-self reality as a *datum*, but only to purely subjective, mental 'appearances'; that the modes or forms of consciousness, in and through which I become aware of those mental 'phenomena' or 'appearances' involved no non-self element or factor whatsoever, were derived from no intuition of any non-self reality, but from (let us suppose) the working of a sub-conscious portion of my own self or mind; that 'space' and 'time' and 'matter' and 'substance' and 'quality' and 'action' and 'cause,'

and all the rest of the predicates interpretative of the 'sense-phenomena,' or 'states of sense-consciousness,' were not engendered in my mind by *aught except my mind itself*; supposing, I say, that all this were the case, as Kant actually maintained: would it or would it not follow, as Kant believed it would, that the Principle of Causality, thus embodying mere subjective concepts, could never lift me by any process of inference from the world of 'subjective mental appearances or phenomena' (*within* which alone the concepts of 'cause' and 'effect' were formed,<sup>1</sup> and the Principle of Causality finds its valid application), to the 'extra-mental' world of 'realities'—which latter world must therefore ever 'transcend' and baffle all the attempts of man's speculative reason to reach a knowledge of it?

Whether these suspicions are well founded, or, in other words, whether the *destructive* side of the Kantian *Critique* is in any way answerable, I purpose to discuss in a future article.

The reader who may have accompanied me so far in these discussions will probably have asked himself more than once whether realist and idealist mean the same thing by 'reality'? Whether they disagree in language rather than in thought when the one affirms and the other denies that some 'objects' of knowledge are '*really* distinct' from the 'knowing subject,' and from one another? Whether the 'phenomenon' is devoid of 'reality' simply because it 'appears' to the sentient mind? Whether what *we are compelled to think* is devoid of reality simply because we succeed in 'thinking' it? Whether or why reality is or should be in itself unknowable? Whether those who think so can admit any 'distinction' to be '*real*'? Whether finally, the endless discussions of modern philosophy on 'appearance and reality,' 'thought and thing,' 'the nature of the real' and such like, are not simply reproductions of the equally endless controversies with which the student of medieval philosophy is familiar—the 'Thomist' and 'Scotist' controversies, concerning

<sup>1</sup> Cf. *supra*, p. 122.



the '*ens reale*' and the '*ens rationis*,' the '*distinctio logica*,' the '*distinctio virtualis*—cum fundamento in re'—and the '*distinctio formalis*'? . . . . .

So that these perennial questions have, after all, a living as well as an historic interest. Nor is this living interest merely speculative: it is one that is eminently practical; one that is not for the scholar alone but for every good man who loves the truth; one that has even a poignant element in it for the *Catholic*, when he, knowing what it is to possess the truth, asks himself this anxious question: Is it possible that there should be multitudes of good, earnest, sincere men outside the fold of the one True Church at the present day partly at least because they give their adherence to systems of philosophy which, although really in harmony with Revealed Truth, are formulated in such a terminology that they appear to be, and are believed by most Catholics really to be, at variance with the very fundamentals of all Religion?

P. COFFEY.

[*To be continued.*]

## THE CAUSALITY OF CREATURES AND DIVINE CO-OPERATION: OR, THE THEORY OF THE FLOW OF MOTION—I<sup>1</sup>

THE origin and nature of activity, the existence in creatures of a principle of efficient causality, the relation of the creature to the Creator in the natural and supernatural orders, are questions which have exercised a strange fascination over philosophic minds, and have given rise to lengthy and sometimes bitter controversies. The Occasionalists sought to solve the mystery of the relationship between God and His creatures by denying causality to creatures, while Deists taught that the world is running its course according to law, independently of divine providence or divine interference, and that the Deity Himself is living a life of happy aloofness from and unconcern with the affairs of the world; and both parties agreed that the creature is really distinct from the Creator. Among those who question or deny the existence of a Supreme Being distinct from the world, whether they call themselves agnostics, or atheists, or pantheists, there cannot be, properly speaking, a question of determining the relations of the creature to the Creator. And then we are all more or less familiar with the historic controversies between rival Catholic schools on this question of the nature of divine co-operation. The Essay under review is the expression of a new attempt to adjust the relations between the creature and the Creator in the light of modern science and modern thought. The desire to expound the truths of faith so as to recommend them to the favourable notice of the men of science is in itself truly admirable; but it has had already, in quite recent times, very unhappy results. I will give a summary of the new theory in the following paragraphs.

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<sup>1</sup> *Le Mouvement*, Paris, 1898.

Cf. *De l'action de Dieu sur les creatures*, criticised by Tournely, *De opere sex dierum, Quaestio Quarta*, art. iii.

## I.

The substance of this theory is, that all action is motion ; that motion originates exclusively from God ; that creatures become active by receiving and transmitting a motion produced by God. The first point therefore to be expounded is the nature of Motion.

*Motion* or *Movement* ('*Motus*') is sometimes taken, in a wide signification, to include every *operation* ; in which sense the term is applied even to God, the '*Primum Movens Immobile*.' Again it is taken to express *change* ('*mutationem*') ; and in this sense it can be predicated of the Angels in relation to their acts. And finally there is the movement of bodies, which is perceptible even by the senses. When a formal definition of Movement is attempted philosophers accept the definition of Aristotle, which is thus rendered in our text-books : *Actus entis in potentia, prout in potentia*. In the Essay under review the Aristotelic formula is not correctly translated. It is rendered, 'The act of being in potentiality, as such.'<sup>1</sup> It should be translated, 'The act of *a* being in potentiality as such'—'*entis*' being used substantively and not participially ; for movement supposes a pre-existing subject, so that creation, for example, is not called '*motus*.' But, you will say, the definition itself is very obscure ; please explain it. Let us consider, then, a journey from Maynooth to Dublin. As long as the intending traveller has not yet set out on the journey he is not in movement, at least he is not in movement towards Dublin, he is altogether *in potentia* in regard to presence in Dublin. When he has set out on his journey he is said to be in movement or in motion, until he reaches his destination, when the movement ceases. And hence '*movement*' (*motus*) is understood to be the condition of a thing or of a person who has made a beginning, who is actually tending towards some goal, but who has not yet reached that goal. Hence it is defined : *Actus entis in potentia, prout in potentia* ; because a being in motion is *in act*, it is actually tending towards

<sup>1</sup> *Motion*, p. 24.



some term ; but yet it is, from another point of view, *in potentiality*, namely, in regard to the term ; it is an 'actus entis in potentia, prout in potentia' (*ad terminum*), for when the term is reached the movement ceases.

Movement, of whatever kind, always exists in the object moved, and it can be local, quantitative, or qualitative. Local movement I have just described. An example of quantitative movement is the continuous growth of man in quantity from infancy to perfect manhood. And an example of qualitative movement is the growth of heat in some object put into a fire until the desired maximum degree of heat is attained. In all these cases we have an 'Actus entis,' for there is a pre-existing subject which is already *in act*, tending towards a determined goal ; and yet it is an 'Actus entis *in potentia, prout in potentia*,' because the thing moved, and while in motion, is in *potentia* in relation to the term to which it is moving.

Movement can be instantaneous or successive. Some philosophers deny that *motus*, in the aristotelic sense, is applicable to what is called instantaneous movement, on the ground that *motus* implies something which is partly in act and partly in potentiality, or that *motus* must be a *via ad terminum* ; but, if we except immanent acts, philosophers generally teach that instantaneous change can be a true movement ; that we can distinguish between its transient *feri* and its stable *factum esse*, and that the *feri* can be regarded as the *via ad factum esse*. Thomist philosophers deny that the aristotelic definition of *motus* applies to immanent acts, as thoughts and volitions, though they may be called *motus* in the wider signification of the term ; but according to Suarez they, too, can be considered to be movement in the sense of the aristotelic definition.

Now according to the author whose Essay I am reviewing, the same individual motion can pass from one agent into another. 'And motion,' he writes,<sup>1</sup> 'passes quite readily from one agent into another without losing its

<sup>1</sup> *Ibid.*, p. 9.

individuality.' He conceives motion or movement to be some kind of entity which, like water, can pass from one agent to another without losing its individuality. This is his point of departure from the common view which teaches that motion cannot pass. Motion can be produced, or a thing can be set in motion; but the same individual movement does not pass from one subject to another. Let us consider, for example, from the point of view of *motus*, a carpenter cutting a piece of timber, and ask, what is the *motus* of this *incision*? *Motus*, according to Aristotle, is subjected in the thing moved. The *motus* of *incision* in the word is the continuous separation of parts previously united from the first act of separation until the desired end is reached. But, continuous 'separation' cannot exist apart from the parts separated, nor can the same individual separation of parts be transferred from one object to another. According to the theory I am criticising the same individual 'movement' passes—as water passes—from the carpenter's hand (which it does not cut) into the saw, and from the saw (which it does not cut) into the wood, which it cuts; but neither the carpenter nor the saw can originate or produce motion, even as secondary causes. All motion has its origin exclusively from God, the secondary cause in no way whatever producing or originating motion; and the creature can only receive, retain, and, in a sense, transmit the motion infused by God. It is claimed for this theory that it expresses the genuine doctrine of Aristotle and St. Thomas. Do Thomist philosophers accept this interpretation of their great master?

## II.

Intimately connected with *movement* are *action* and *passion*; for, according to Aristotle and St. Thomas, 'Actio et passio sunt idem motus.' The author has rendered invaluable service in bringing before students interested in the question of divine co-operation these fundamental philosophical questions. But he seems himself to have adopted an erroneous theological theory before he approached the study of these philosophical questions, and

then to have read his own theory into the writings of Aristotle and St. Thomas instead of drawing out the true theories of those great philosophers. He appears to be held by a fatal, uncontrollable propensity to misapprehend the meaning of the authors he quotes. It is evident both in regard to the views he has abandoned and in regard to the theory he now advocates.

He tells us that he held for long with the common view that created agents produce their own actions. But his conception of that theory corresponded as little with the reality as his present views with the teaching of Aristotle and St. Thomas. It is pathetic to read his description of his former conception of activity, and of his struggles with an imaginary foe which he calls 'force.' He thought, he says,<sup>1</sup> that in billiard-playing, for example, we must distinguish the following elements: (1) the habitual substantial nature and powers of the player; (2) a 'force' which is put forth, which is distinct from the faculty and the act, which is intermediate between the faculty and the act, which is the immediate cause of action; (3) the passing of this 'force' into the cue, where it unites with another 'force' exerted by the wood, both then causing the motion in the wood; (4) the passing of these united 'forces' into the ivory, where they unite with the 'force' of the ivory, etc. And if you ask our author where did he find this doctrine in the writings of theologians, he will reply: Do not theologians speak of creatures acting *propria et innata virtute* (force)? Now what can you do with a person who misapprehends the meaning of such ordinary expressions? We say that the eye sees *propria virtute*, that the ear hears *propria virtute*, that the mind thinks *propria virtute*, etc.; but there is no 'force' put forth, which is something intermediate between the faculty and its action, and the immediate cause of action. The faculty itself, with the divine concurrence, is the immediate originating principle of its act. And it is said to act *propria virtute*, just because it has the capacity of eliciting its own act.

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<sup>1</sup> *Ibid.*, p. 4 ff.



Having delivered himself from the bondage of the illusion of 'force' our author's present theory of *action* is as follows :—

1. As action is identical with motion, and as creatures do not produce motion, so no creature elicits or originates or produces its action ; it is God, exclusively, who produces action ; the creature only receives, retains, and, in some sense, transmits the action received from God.

2. Nevertheless, he says, creatures are active. Because actions are 'forms,' and as the soul, which the owner has not produced, constitutes him a living being, so the *action* infused or produced in the creature by God, being a 'form' or formal cause, constitutes the receiver *active*,—though he has not produced or originated his action. Besides, when infused it is *his* action, just as much as his books are his, or his cattle, or his crops, etc., which he has not produced.

3. *Vital Actions*—like mechanical actions—he says, are not originated by the creature, even as secondary cause ; they are actions which must be produced by God within the faculty, and cannot be transmitted from another created subject ; and in this they differ from mechanical actions.

4. *Transient actions*, he says, are those which pass, without losing their individuality from one subject to another ; for, he asks, <sup>1</sup> 'how can a thing be *transient* unless it *passes* from subject to subject ?'

5. *Premotio physica* (written 'pre-motio'), he says, means that all motion and action is produced by God prior (*prioritate rationis*) to its reception by the creature.

Now we may accept or reject a particular philosophical theory. But we are not free to attach a private meaning of our own to the terms employed by the great philosophers, and then to quote these philosophers in support of our own views. The meaning of philosophical language, like the meaning of literary works, is determined by usage. But in the Essay I am criticising there is scarcely a philo-

<sup>1</sup> *Ibid.*, p. 188.

sophical term employed to which a purely private personal meaning of the author is not attached. The meaning of all these terms—*motus*, *actio*, *actio vitalis*, *actio transiens*, *causa efficiens*, etc.—is misapprehended. And yet Aristotle and St. Thomas are quoted in support of the theory advocated in the Essay as if the words were employed in their recognized aristotelic sense.

What, then, is meant by *actio*? As everyone knows, there is a great difference in usage between *actus* and *actio*. *Actus* is contradistinguished from *potentia*, and may be applied to anything that has emerged from the state of potentiality, whether it be a substance or an accident, an *actio* or a *passio*. Thus, we call God the *Actus* purissimus; we call the Angels *actus puri*; we call a substantial form the *act* of its *materia prima*; we speak of *actus primus remotus*, and *actus primus proximus*. But *actio*? Among the ten categories of things distinguished by Aristotle we find *actio*; and philosophers when discussing the nature of *action*, have before their minds that particular entity which in the philosophy of Aristotle constitutes a category apart—the category of *action*. What then is *action*, which constitutes a category apart? I will, for the present, merely mention the different opinions in a summary way; as each of the paragraphs of this article will require a separate article for full and adequate treatment.

1. According to Scotist philosophers *action*, which constitutes a distinct category, is a *relatio extrinsecus adveniens agentis ad effectum*. The Scotists agree with Thomist and other scholastic philosophers about the physical elements of action; but when they consider action technically, as it constitutes a category, they define it as a relation (*extrinsecus adveniens*) of the agent to the effect; and intrinsic relations alone they refer to the category of relation.

2. Thomist philosophers generally, as we have seen, deny that the aristotelic definition of *motus* is applicable to immanent acts, and consequently they teach that immanent acts are not *actions* in the aristotelic sense; they refer them to the category of quality. Hence the aristotelic doctrine, that *actio* and *passio* are the same

*motus*, was not predicated at all of immanent acts, such as *intellectio*, *volitio*, etc.

3. Catholic philosophers generally, outside the Scotist school, define *action* to be 'dependentia quam habet effectus a causa.'

Let us examine this definition for a moment and we shall see how *actio* and *passio* are the same *motus*, and how the theory propounded in the Essay I am criticising differs from the traditional theories of divine co-operation. Let us consider again, a sawyer cutting a tree; and let us inquire what is the *motus* of incision, what incision is as *action*, and what it is as *passion*. Let it be remembered that *motus* is in the object moved; and the *motus* of an *incision* is the continuous separation in the wood of parts previously united, from the beginning of the cutting until the desired end is reached. It is the continuous *fientia* of the incision, considered in the wood, and considered on its way to its end; abstracting from the agent or activity by which it is produced. What is the *action* of *incision*? It supposes, perhaps, movements of the arms, movements of a saw, etc.; and one may analyse these acts or actions by themselves; but these alone are certainly not the *action* of *incision*, as commonly understood by scholastic philosophers; they might take place without any incision. What would an *incision* be, for example, if it originated from God without created instruments? We should see the wood separating; that is all; and the *fieri* of separation, considered as originating from God, would be the *action* of *incision*. And, similarly when produced by created agents the *action* of *incision* is generally understood by scholastics to be the continuous *fieri* of the incision, as originating from the agent. And the same thing is called *passio*, when considered formally as received in the object cut. We see then how *actio* and *passio* are the same physical entity as *motus*, and yet how they differ from *motus*. The *motus* of *incision* is the successive *fieri* of the separation of parts from the beginning to the end; the *action* of *incision* is the same successive *fieri* of separation in the wood, but considered as originating from the agent, as produced by the



*agent*; and the *passio* of *incision* is the same successive fieri of separation, considered as received in the object cut.

A person may not accept this definition of *action*. He may prefer to regard *action* as the *actus secundus* of the agent. Some include in the conception of *action* both the *actus secundus* of the agent and the *fieri* of the effect. But it surely will not be questioned that if we quote St. Thomas and Aristotle in support of our theories we should use their terminology in the sense in which it was understood by themselves.

If, with the common opinion, we employ the word *actio* to signify the *fientia* of some effect, as subjected, like *motus*, in the term, then it follows that *action* is not a form of the agent; and this is expressly taught by our philosophers. Vital acts are produced by an intrinsic principle, and not produced exclusively by God in the agent. Theologians inquire whether God could produce and infuse, say, our thoughts and wishes; whether if produced exclusively by God and merely received in the created faculty they would be vital acts; whether they could be free acts; whether it is lawful to hold that they are so produced, first, in the case of the Blessed, and, secondly, during the life of probation. Our author completely misapprehends the meaning of *transient actions*. And will Thomist philosophers admit that creatures, as secondary causes, cannot elicit acts or originate action? that their acts and actions are produced exclusively by God? that *pre-motio physica* is so called, because *prius est esse quam recipi*, because an act must be produced by God before it can be received by the creature?

The many questions connected with *action* I must reserve for a future occasion. It remains to define briefly the point at issue. It is not a question of the existence of a 'force' put forth by the agent, which would be a *potentia* distinct from the habitual powers of the agent and the immediate cause of the agent's acts: this is simply a delusion. There is no controversy about the aristotelic doctrine, *actio et passio sunt idem motus*; but the definition

of *motus* is not correctly translated, and the nature of *actio*, as understood in scholastic philosophy, is misapprehended in the Essay under review. The question at issue briefly is this: Do men, as secondary causes, and with the co-operation of the First Cause, really originate motion, their acts and actions; or, are they merely capable of receiving and retaining motion and actions produced exclusively by God?

### III.

We come to the question of *efficient causality*. Our author accepts the ordinary philosophical definition of efficient cause: *Principium extrinsecum a quo primum fuit motus, seu rei productio, mediante actione*; but he completely misapprehends its meaning and grammatical construction. He translates the Latin definition as follows: 'An efficient cause is an extrinsic principle from which motion first flows; or [it is] the production of something by means of action.'<sup>1</sup> He says we have here two definitions: 'Hence, in the one sentence we have two definitions, one an explanation of the other.' Next we find the adverb *primum* dropped, and an efficient cause becomes 'an extrinsic principle from which *motion* flows.'<sup>2</sup> And in the development of his argument efficient causality—and the same may be said of action—becomes 'a flow of motion;' and motion itself becomes 'a form in flux.'<sup>3</sup> Motion is conceived throughout as some reality, which passes or flows from one to another without ceasing to be the same identical individual motion. Action is the same 'form in flux,' the same 'flow of form.' And now efficient causality is the same 'form in flux,' for it is 'a flow of motion.' In one place the author tells us that action is a *form* which by itself renders its subject active; and again he tells us that at its reception an action is rather a *form* than an *action*, but that, when conserved by God for some time within the subject, it becomes an action and an efficient cause, for then it may be conceived 'to flow'

<sup>1</sup> *Ibid.*, p. 153.

<sup>2</sup> *Ibid.*, p. 155.

<sup>3</sup> *Ibid.*, pp. 283 ff.

on from instant to instant within the subject! 'At any one instant,' he writes,<sup>1</sup> 'an action is not so much an *action* as a *form*, which becomes an action *by its flow from instant to instant.*'

Let us examine how this conception of efficient causality would work out in concrete cases. Our author would find efficient causality in our cognitions and volitions. No doubt, he would say, they are 'motions' produced exclusively by God, the secondary cause having no part whatever in eliciting or originating these acts. They are received by the intellect and will. At their reception they are not so much 'actions,' as 'forms.' But if God is pleased to conserve them within the faculties for some instants of time, they must 'flow' on from instant to instant within the faculties. And then you have 'action' and 'efficient causality'; for what is action or efficient causality but 'a flow of motion,' 'a flow of form,' a 'form in flux'!

Then you may wish for examples of transient actions and the corresponding efficient causality. You may be a sporting man, you may have been to races, you may have seen a jockey urging his horse with all his might, with whip and spur, to be the first to pass the winning-post; but did you ever attempt a philosophical examination of this phenomenon? You may have thought that the rider and horse were exerting 'force,' and *producing* motion and action? But how—our author would ask—do you reconcile this belief with the doctrine of the Conservation of Energy? This—he would say—is the explanation: All the intensified *motion*, in the case, was produced exclusively by God and infused or transmitted into the rider. At its inception it was rather a 'form' than 'action.' But it began to 'flow'—from the rider into the whip and spurs, and from these into the horse; and at the 'flow' the rider became 'active' and an 'efficient cause.' And the horse *informed* with the motion received from the rider is borne along triumphantly to the winning-post,—though, strange to say, the rider, while he possessed the motion, sat

<sup>1</sup> *Ibid.*, p. 156.



tranquilly on horse-back. And there is *action* and *efficient causality*, because, again, what else is efficient causality but 'a flow of motion'?

Again, another and a rather prosaic commonplace example. You may have seen a herd of swine roaming over the fields, at one time rooting and destroying as they advanced, and at another time, with rings in their noses, grazing harmlessly on the pleasant pasture lands. Did you think they were putting forth 'force' and originating motion? But how, then, can you defend the principle of the Conservation of Energy, or ask scientific men to accept the truths of Christianity? And yet a satisfactory and orthodox scientific explanation of such phenomena is not far to seek. A gale of motion blowing from the west strikes the herd of swine dispersed about the pastures. At its entrance and reception the motion is not so much an *action* as a *form*. But then it 'flows' forward to the head; and at every advance in its forward progress there is efficient causality, for efficient causality is 'a flow of motion.' Having reached the head, if the pigs are un-wrung, the motion 'flows' into the field by a flow *ad extra*; there is new efficient causality; and the field, *informed* with this motion, presents the familiar if unpicturesque appearance of a 'rooted' field,—though, curiously, the motion effected no 'rooting' in the interior organization of the unclean animals. But if the pigs are 'rung'? First be it observed that it is difficult in this theory to explain why the motion does not 'flow' from the mouth: it appears to get a 'twist' towards the nose: and the possibility of an occasional 'twist' occupies a not unimportant place in the theory of the 'flow of motion.' When the motion reaches the 'rings' it cannot pass, because the rings are impenetrable, that is, because they have a *right* that the motion shall be turned back by God; and thus are they *moral* causes. And so the motion turns back, begins another series of 'flows' and of efficient causality, and, like the unclean spirit in the Gospel returning to his former habitation, goes off in 'a flow of form' into the boundless regions of space.

I think now it will be admitted readily that neither the doctrine of the Conservation of Energy nor the nature of efficient causality is represented fairly in this theory of the Flow of Motion. The definition, as I have said, is not correctly translated. The correct translation and the meaning will be obvious from the following explanation. An efficient cause is said to be 1° *principium extrinsecum*; and about these words there is no difficulty. 2° It is added: *a quo primum fuit motus, seu rei productio*. Thus, for example, if we consider the building of a house, the *motus* is the successive growth or *feri* of the house from the first stone laid to the completion of the house; but the *rei productio* is the same thing. 3° It is added: *mediante actione*; for the successive *feri* or production of the house is not merely *motus*, it implies also action, which is the same *feri* or *production*, but considered as *originated by the builders*. The author of the Essay under review should have known that the words, 'seu rei productio,' are not the beginning of a second definition of efficient causality; for an efficient cause is, surely, not the *production* of a thing, but the *producer*, the *principium extrinsecum*.

We distinguish in the work of an efficient cause the effect and the *feri* of the effect. The effect, e.g., a house, is said to be *produced*. The *feri*—whether conceived as *motus* or *actio*—is said to *flow* from the agent; not that it is something which passes—as a liquid passes—from one subject to another, but because it originates from the agent or principle, and that immediately, and not through the medium of another action ('*principium extrinsecum* a quo *primum* fuit *motus*,' etc.). Hence an efficient cause produces an effect—through the medium of an action—originated by itself. This is expressed in the following passage from Goudin, quoted by our author,<sup>1</sup> where the Thomist philosopher teaches that an essence is not properly speaking the efficient cause of the properties emanating from it, but not produced by it: '*Infertur secundo essentiam quodammodo posse dici causam efficientem respectu*

<sup>1</sup> *Ibid.*, p. 285, note 2.

proprietas ab ea dimanant, *non quidem proprie, quasi ipsa essentia eliciat actionem productivam talium proprietatum.*' And we see again from the example given of building how *actio* and *passio* are the same *motus*. The *motus* of building is the succession—considered in the house that is being built—of layer upon layer of stone and mortar, and of wood and slate, from the first act of being until the house is completed: the *action* of building is the same successive *feri*, but considered as originating from the builders: and the *passio* of building is the same successive *becoming*, considered as received in the progressing house. But how does the aristotelic doctrine, that *actio* and *passio* are the same *motus*, militate against the theory that people originate their actions, as secondary causes? How does it prove that motion and action is a 'form' that can pass from subject to subject? that creatures merely receive and retain motion produced by God?

## IV.

We come next to the question of God's co-operation with His creatures; to the question of God and the creature in relation to the creature's acts. Our author seems to have taken, at different times, very different positions on this question.

When I began to teach the treatise *De Gratia* [he writes<sup>1</sup>] I used to propound what was substantially the doctrine of the Molinists. . . . I was forced after a time to maintain that there are *two* motions in the will, when it acts under supernatural influence,—one quite natural in the will itself; the other supernatural, in the infused supernatural transient quality or permanent virtue, as the case may be. I held that the natural act of the will contributes to salvation . . . becoming supernaturalized, not in itself, but only *denominative*, from being united with another supernatural action in the one person. . . . It was a novel theory.

But now he holds that creatures cannot produce or originate any motion or action; that all acts and actions are produced by God alone.

<sup>1</sup> *Ibid.*, p. 108, note.



The author seems to have been so intent on asserting the creature's activity and efficient causality, so absorbed in the work of re-interpreting the old definitions so as to bring them into harmony with his own theory, that he lost sight completely of what is due to the sanctity of God. How, then, does the 'Flow of Motion Theory' stand in relation to the sanctity of God?

Let it be borne in mind that, according to this theory of the Flow of Motion, creatures cannot produce or originate any action, with God merely co-operating; that all our actions are produced as truly and exclusively by God as if He had first produced them in some other creature and then transferred them to us;<sup>1</sup> that we have no power to prevent or resist the entrance or introduction of the divinely produced action;<sup>2</sup> that, in relation to supernatural acts, supernatural virtues are infused at justification, not to give us stable powers of *eliciting* supernatural acts, but to dispose us for the reception of supernatural acts produced by God alone; and we shall easily see the relation of this theory to the sanctity of God. Think, then, of all the blasphemies of hell and of the iniquities of the world; think of the oppression of the poor, of the corruption of the innocent, of the drunkenness, immorality, and injustice in the world; think of the murders that are committed; of the works of darkness in the great cities of the world; and ask: What is God's relation to this world of evil? Our author says, in effect, that it is God exclusively who has produced all the thoughts, volitions, and corporeal acts, which are implied in the blasphemies, murders, adulteries and other crimes committed in the world since its creation; that creatures have merely received these thoughts, volitions and corporeal motions from God; that they could not prevent or resist the introduction by God of these actions into them; that the actions continued in them as long as it pleased God to conserve the actions in them, that is, in some for time, in others until the end, unto damnation; that they could not by any act elicited

<sup>1</sup> *Ibid.*, p. 12.

<sup>2</sup> *Ibid.*, p. 374.

by themselves—they could elicit no act—get rid of the criminal acts produced in them by God. But God is excused, our author would say, by reason of the exigencies of the First Cause. Poor God! he is *excused*. We can understand a man who is sick, or otherwise incapacitated or impeded, being *excused* from an obligation. But God! And what could have put God under such a necessity but His own free decrees?<sup>1</sup> Then if we ask how were the human actors in all these past murders, adulteries, robberies, etc., accountable for their acts, our author would reply that they were truly culpable, because they were really *active* in committing crime, because they were *the efficient causes* of crime. For when the sinful motions or acts were produced by God in them and conserved for some time, did they not ‘flow’ on from instant to instant within them? And what is action and efficient causality but a ‘flow of form’? It is God alone, according to this theory, who has produced and is producing all the sinful acts of the world; and God goes unpunished. Creatures merely receive the sin-motions produced by God. They cannot refuse their acceptance. They cannot by any act of their own get rid of the sinful thoughts and volitions produced in them by God. These sinful acts must continue in the creatures as long as God has decreed to conserve the acts in them. In the multitude who die in their sins God conserves in them their sins until the end. They go down to hell. But in their prison of fire and of excruciating heat they may find some cold comfort in the thought that they were ‘active’ and ‘efficient causes’ during their life-time; inasmuch as the motions received from God and conserved in them by God—which they could neither refuse at their reception, nor expel when once received—‘flowed’ on from instant to instant within them!

The authors of novel theories in theology invariably complain that they are misunderstood and, consequently,

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<sup>1</sup> And surely after this general teaching it is superfluous to spend time in proving that God could co-operate not merely in the material sin of deception but in the formal deception of his readers by an inspired writer.

misrepresented. I will therefore add a few words more on the subject of this paragraph to prevent misconception. Our author defines physical causality as 'a flow of motion,' and a moral cause he defines as a thing to which something distinct from itself is *due*.<sup>1</sup> The meaning of the terms, *moral cause* and *occasions*, should be accepted from established usage ; but our author prefers definitions of his own. If a master left a sovereign exposed in his library it might be—moralists say—an *occasion* of sin to a servant. But to our author it is not an *occasion*, it is a case of *physico-moral causality*. If the servant appropriated the money, the genesis of the action, he says, would be as follows. A ray of light emanating from the sun 'flows' on until it falls on the coin ; and along the whole course of its journey there is *physical* causality, for there is a continuous 'flow of motion.' As the coin is impenetrable, that is, as it has a *right* from God that a motion striking against it shall be turned back, the ray of light is reflected from the coin, or sent back ; and in this we have *moral causality*. The ray again 'flows' until it reaches the servant's eyes ; and, again, this 'flow' is *physical* causality. When the ray reaches the servant's eyes the servant has a *right* that God should produce in his eyes an act of vision of the coin, a vital act ; and in this again, we have *moral causality*. And now that the servant sees the coin he has a *right* that a thought should be produced in his mind, say the thought of stealing, and then a *right* that a particular volition should be produced in his will, say, an efficacious desire to steal the money ; and in these cases again we have *moral causality*. This means that God, at the creation, established a law that when a ray of light would strike a coin He would turn the motion back ; that when it reached the eye, He would produce an act of vision ; that after the act of vision He would produce a thought in the mind ; that with the thought He would produce a corresponding volition. Hence it is contended that man is the *moral* cause of his vision, of his thought, of his volition ; because on the advent of the ray of light he has a *right* to an act of vision ;

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<sup>1</sup> Cf. *Ibid.*, p. 173.



on the receipt from God of the act of seeing the coin he has a *right* to a thought, say, to the thought of stealing (a *right* to a *wrong*) ; and on the receipt of the thought he has a *right* to receive from God a volition, say, an efficacious purpose of stealing his master's property ! I draw attention to this abuse of language, because the author of the Essay under review insists so emphatically that he maintains and defends the activity and efficiency of creatures that there is a danger of being misled about the nature of his theory.

V.

We may get a still clearer conception of this theory, on its moral side, by a comparison with the errors of the Occasionalists and Reformers. In the comparison with Occasionalism I will consider only the views of the extreme Occasionalists.

We may compare the theory I am criticising with Occasionalism in regard to mechanical motion, or in regard to vital acts. The Occasionalists did not conceive the same numerical motion or action to pass from one subject to another, but to be produced by God in each ; but the author of the present theory supposes the same numerical motion to pass from subject to subject. But this makes no difference in relation to efficient causality, which supposes the production of an effect by an action originating from the agent ; and according to our author all motion and action is produced exclusively by God. And in regard to our thoughts and volitions ? They are produced exclusively by God, the secondary cause in no way co-operating in their origination, say the Occasionalists ; they are produced exclusively by God in the same sense, says our author. They are conserved by God alone in our faculties, say the Occasionalists ; they are conserved by God alone in our faculties, says our author. They continue from instant to instant, when conserved by God in us, say the Occasionalists ; they 'flow' from instant to instant within us, when conserved by God, says our author. What, then, is the difference ? The difference is this, that the Occa-

sionalists called white white, and black black ; but our author calls black white, and white black ; or he makes active passive, and passive active. The Occasionalists admit that we are neither active nor efficient ; but our author says we are active and efficient causes, and that the Occasionalists were inconsistent in admitting 'a flow of motion' and denying efficient causality, as efficient causality consists in a 'flow of motion' !

It is so very absurd [he writes<sup>1</sup>] to suppose that there is no true flow of form within the faculty, in case of immanent actions, that Occasionalists would probably admit this flow, and continue, nevertheless, to represent themselves as Occasionalists of the most rigorous type. This, however, only proves that their system is inconsistent, and that its advocates must go back of their fundamental principles, when brought to the test.

Suarez describes the Reformers' conception of human activity as follows. Having remarked that three properties are necessary for a free act, 'active fieri a voluntate, libenter seu voluntarie fieri, et cum indifferentia fieri,' he proceeds :<sup>2</sup> 'Lutherus ergo, ut radicatus liberatem everteret, etiam primam conditionem actus voluntatis negavit ; dixit enim non fieri ab ipsa effective, sed a solo Deo voluntate immiti, ipsa voluntate mere passive se habente. Sed haec sententia quoad hanc partem non solum haeretica est, sed etiam stultissima, et ab omni humano sensu aliena.' Elsewhere he condemns this doctrine as *blasphemous* and *erroneous*.<sup>3</sup> Now how does this doctrine differ from the theory of the Flow of Motion ? Both theories agree in this, that we cannot originate any act as secondary causes, God concurring with us ; that our acts are produced by God exclusively ; that we receive them in our faculties from God ; that they will continue in our faculties as long as they are conserved in them by God. But the Reformers frankly admitted that this does not constitute activity, whilst the author of the theory of the Flow of Motion holds that it does constitute activity and efficient causality, as actions

<sup>1</sup> *Ibid.*, p. 180, note.

<sup>2</sup> *De Gratia*, l. v., c. iv., n. 2.

<sup>3</sup> *Metaph. Disp.*, d. xviii., s. i., n. 13.

are 'forms,' and as the action produced in us by God and conserved in us by Him can be said to 'flow' from instant to instant within us.

The truth seems to be [he writes<sup>1</sup>] that whilst Luther and Calvin freely allowed that men are able to sustain an infusion of divine activity, they strenuously contended that this did not make the human faculties in any true sense active. . . . But, according to the kinetic theory, as it is proposed in this Essay, creatures are truly active, and not merely passive, in sustaining the motions they receive from God.

I will only remark on this, that the doctrinal orthodoxy or unorthodoxy of a book does not depend on the language used, but on the truths expressed by the language. Words may change their meaning, the same truth may happen to be expressed by different formulæ at different times. It is not formulæ that constitute doctrinal orthodoxy or unorthodoxy. We may say that men are active and efficient, and be unorthodox; and we may say that men are merely passive, and be orthodox. The Church may, by a disciplinary law, require us to adopt certain formulæ and may proceed against those who violate this discipline as suspected of heresy; but it is the truths expressed by the formulæ that constitute doctrinal orthodoxy or unorthodoxy. I cannot therefore understand persons defending a book like the Essay under review on the sole ground, as they say, that there is no 'expression' opposed to Church definitions in it.

## VI.

New and erroneous theories in theology generally arise from subjective difficulties in the matter of philosophy, history, or the natural sciences. Their evolution is accompanied by a transformation of traditional terminology. And they generally reach their term in a new and free interpretation of Church definitions. The present theory is no exception to the rule, and it too deals rather freely

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<sup>1</sup> *Ibid.*, p. 93.



with dogmatic definitions. The Council of Trent condemned the doctrine of the Reformers in these words<sup>1</sup>:—

Si quis dixerit liberum hominis arbitrium a Deo motum et excitatum, nihil cooperari assentiendo Deo excitanti atque vocanti, quo ad obtinendam justificationis gratiam se disponat ac praeparet; neque posse dissentire si velit, sed veluti inanime quoddam nihil omnino agere, mereque passive se habere; anathema sit.

Our author has no little difficulty in trying to reconcile his theory with the Tridentine teaching.

And 1, he asks, are we to believe that the holy Council defined that inanimate things *do nothing at all*, that they are *merely passive*. Is not that rank occasionalism? But our author does not quite understand the philosophical meaning of the language. An action is attributed, not to the thing moved, but to the mover. The knife, e.g., with which we cut our food cannot of itself commence to move, or vary its movement, or arrest its movement; nevertheless when moved it acts efficiently; it originates action and produces effects when moved; however, the action is not ascribed to the knife but to the mover, and the knife is said to be purely passive. Similarly, our first supernatural indeliberate acts are said to be *in nobis*, but not *a nobis*; because though elicited by us they are indeliberate and are ascribed to the divine Mover. And hence the expressions, *nihil omnino agere* and *mere passive se habere*, are not opposed at all to efficient causality, but to the power of *self-movement* by deliberate free acts; and to say that a person does nothing at all, but is merely passive, signifies that he cannot *move himself*, that he is not a free agent.

2. Our author argues in favour of his theory from a passage in the fifth chapter of the same session, where the Council teaches: 'Ita ut tangente Deo cor hominis per Spiritus Sancti illuminationem, neque homo ipse nihil omnino agat, *inspirationem illam recipiens*; quippe qui illam et abjicere potest.' There you have the Council, he

<sup>1</sup> Sess. VI., can. 4.

says, adopting the kinetic theory. *Doing in receiving!* But that is not the grammatical analysis of the passage. The clause, *inspirationem illam recipiens*, is not causal, but definitive of the doctrine taught by the Council. The thesis of the Council is: 'Ita ut tangente Deo cor hominis . . . neque homo ipse nihil omnino agat, inspirationem illam recipiens;' and the reason or cause follows: 'Quippe qui illam et abjicere potest.'

3. Finally, the substance of our author's teaching about the Tridentine teaching is: The Reformers were really right in maintaining that all our acts are produced by God alone, the created faculty only receiving the divinely produced acts. They were preaching however that man is not free. They should have maintained that man is free in the sense to be explained; and that he is an efficient cause, because the acts infused and maintained by God 'flow' on from instant to instant. The Tridentine Fathers did not concern themselves about the meaning of the Reformers' doctrine, nor did they condemn it in a particular sense. The Council condemned them and hurled a dogmatic canon with anathema at them, because, though they maintained *the reality* of human freedom and efficiency, though their doctrine was really true, they were causing confusion by *saying* that men are not really free!

In the case before us [he writes<sup>1</sup>], they [the Tridentine Fathers] found Luther and Calvin preaching that the will is not free; that it is not even active, but merely passive. The Fathers of Trent did not concern themselves with investigating what precise idea passivity or activity might convey to the mind of a bad philosopher like Luther. What, though, in his ignorance, he meant by *passivity* what is found in inanimate objects, *which are really active*; damage is being done to the faith of Christians, all the same, under the cover of this puerile philosophy. We will then condemn this doctrine of passivity, and let Luther get out of the difficulty as best he can by returning to more correct philosophical notions.

Now, is it permissible to interpret synodal canons in this free and easy fashion? It would be permissible in a

<sup>1</sup> *Ibid.*, p. 91. }

certain hypothesis. If you make the hypothesis, first, that the Inspired Writers did not know the meaning of what they were inspired to write, and, secondly, that the Pope and General Councils stand in somewhat the same relation to the Holy Ghost as the Inspired Writers stood, you may deal pretty freely with dogmatic definitions. You may say: What the Holy Ghost meant to define is infallibly true: what He wished to declare through the formulæ of Councils are dogmas of faith: but the Pope and the Fathers at a Council may not have known what the Holy Ghost meant to define: it might be only at a later period that the sense defined by the Holy Ghost would be evolved: provided then that I retain the formulæ, there is no reason why I may not allow myself a good deal of liberty of interpretation with regard to the hidden meaning defined by the Holy Spirit.

## VII.

How is free-will safe-guarded in the theory of the Flow of Motion? By misinterpreting the traditional definition according to which free-will is defined: *facultas quae, positus omnibus ad agendum requisitis, potest agere vel non agere*. The author deals with it as if it were two definitions; as if one definition of liberty were, a *faculty of acting*, and another definition, a *faculty of not acting at all*.<sup>1</sup> He works with the latter definition. Free-will essentially consists, he says,<sup>2</sup> in the capacity of abstaining from a motion once received. 'It may be objected,' he continues,<sup>3</sup> 'that at least one must *make up one's mind* to abstain; and that this is an action, which seems to be independent of external premotion. True, one must make up one's mind; but how? By an action? Or by abstaining? I say by abstaining.'

Not very lucid, you will say. However, the explanation can be made intelligible. How does a person become *acting* and *not acting at all* in this theory? A person becomes *acting*, by receiving an action from God, for action

<sup>1</sup> Cf. *Ibid.*, p. 381.<sup>2</sup> *Ibid.*, p. 380.<sup>3</sup> *Ibid.*



is a 'form' which renders its possessor *active*; this is the only possible way, according to this theory, of *becoming active*. A person *continues acting* as long as God is pleased to conserve the action or the 'form' in him; he cannot prolong or shorten the period of his *acting* by any positive act elicited by himself, for according to this theory he cannot elicit any act at all. A person becomes *not acting*, by the sole fact that God withdraws the action or 'form'; just as the living person becomes a corpse by the departure of its 'form,' which is the soul. Free-will then consists in the faculty of *not acting at all*; in the power of abstaining from an action or 'form' received from God, merely because God takes it away! God may be free in this theory, as He has power to take away the action, or not; but evidently this theory leaves no free-will to creatures. Think of all the unhappy souls that go to judgment with the guilt of mortal sin. According to this theory the sin-motion was produced by God in them: it was the 'form' that made them 'acting': they could not get rid of it by any act elicited by themselves: God alone could take or make it pass away: God conserved it in them until the end: how, then, could they have become *not acting*?

#### VIII.

This theory of the Flow of Motion has left its mark on every Tract in dogmatic theology; but I will confine myself for the present to its application to Sacramental Theology. According to St. Thomas:—

Sacramenta non operantur ad gratiam per virtutem propriæ formæ; sic enim operarentur ut per se agentia. Sed operantur per virtutem principalis agentis, scil., Dei, in eis existentem. Quæ quidem virtus non habet esse completum in natura, sed est quid incompletum in genere entis; quod patet ex hoc, quod instrumentum movet in quantum movetur.<sup>1</sup>

And explaining how God operates generally in the operations of nature, he writes<sup>2</sup>:—

Virtus naturalis quæ est rebus naturalibus in sua institu-

<sup>1</sup> *De Verit.*, q. 27, a. 4, ad. 4.

<sup>2</sup> *De Pot.*, q. 3, a.<sup>7</sup>7, ad. 7.

tionem collata, inest eis ut forma habens esse ratum et firmum in natura. Sed id quod a Deo fit in re naturali, quo actualiter agat, est ut *intentio* sola, habens esse quoddam incompletum, per modum quo colores sunt in aere, et virtus artis in instrumento.

These passages are nearly identical in their description of the work of God in the sacramental and natural orders. Their meaning is completely misunderstood by our author. He is right in supposing there is no 'force' put forth which would be a new power intermediate between the sacrament and its act. He is wrong in supposing that, because 'an instrument moves only inasmuch as it is moved,' therefore the same individual motion 'flows' from the principal agent into the instrument. And he completely misapprehends the meaning of the word *intentio*. He renders it '*in-tendentia, motion to something.*'<sup>1</sup> But that is not the meaning of *intentio* in the passage. We are familiar with the expression *species intentionales*, where there is question of *likeness* and *representation*; and the meaning is somewhat similar in the passage quoted. St. Thomas distinguishes in natural agents a permanent virtue given to them in their natural powers, and the movement of God, which is only an *intention*; and he distinguishes in instrumental causes a *causalitas principalis* and a strictly *instrumental causality*. If a pen charged with ink were to fall on paper, or if a painter's brush were to fall accidentally on the canvas, it would make a mark by its natural efficiency as a principal cause. But that the pen forms letters and words, that the brush produces a beautiful picture, arises from the fact that one and the other are moved and guided by the hand of the writer or artist, according to the ideas existing in his mind; so that the movement of the instrument is an external *representation* or *intention* of the idea in the mind of the principal cause. Now the sacraments are instrumental causes; they do not produce grace by their natural form; they act as the instruments of God; and the divine movement is an *intentio*, a *representation* of the divine

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<sup>1</sup> *Ibid.*, p. 57, note.

mind, just as the skill of the painter or musician is represented in his painting or playing. But our author can see nothing in the passages quoted, and in all similar passages, but—a *flow of motion*.

The causality of the sacraments—he thinks—is of a *physico-moral* character, which might be explained in the following manner. In Baptism there is a ‘flow,’ an ‘in-fluxus,’ of ‘preternatural motion’ from the minister into the subject, and so far there is *physical causality*; and on the reception of the preternatural motion the subject acquires a *right* to grace, and in this we have *moral causality*. In the case of the Blessed Eucharist, when the words of Consecration are pronounced, the sound wave carries ‘preternatural motion’ from the celebrant into the host and chalice, and in this ‘flow of motion’ there is *physical causality*; again there is *physical causality* at the Communion, for the preternatural motion ‘flows’ with the species into the communicant; and then the communicant acquires a *right* to sanctifying grace, which appertains to *moral causality*. It is not, therefore, the body and blood of Christ that sanctify; it is the ‘preternatural motion’ which ‘flows’ from the celebrant into the host and chalice, and gives a ‘right’ to sanctifying grace when received at Communion. By this theory, too, it is claimed, you explain more satisfactorily than moralists generally do why a ciborium left covered at the consecration or left outside the corporal is not consecrated. For when the sound wave of preternatural motion reaches the ciborium, it cannot enter if the ciborium be covered, as the ciborium is impenetrable; and consequently it cannot enter the particles. By the same theory our author would explain the action of transubstantiation, and the sacraments generally. But what can one say to a person who misreads theology in such an extraordinary fashion?

#### IX.

*Saule, Saule, quid me persequeris?* Don’t you think that you are in theological company that for you is very



unnatural indeed? Can you employ your brain, your voice, your pen, at no better work than at propagating this theory of the Flow of Motion? You are aiming blows at a phantom called 'Force.' You have made a mistake in supposing that motion is a 'form' which can pass from subject to subject without losing its individuality. You are in error in supposing that creatures do not originate action with God's concurrence. And starting with these principles you, surely, must have misconceived the nature of divine concurrence, and misinterpreted all the truths of theology to which you have applied this irrational theory of the Flow of Motion.

But I must reserve a detailed examination of all these points for subsequent articles.

DANIEL COGLAN.

*(To be continued.)*

## STEPS TOWARDS BETHLEHEM

WRITTEN BY AN ANGLICAN CLERGYMAN IN 1876<sup>1</sup>

### I.

**I**T may surely be taken for granted that intellectual honesty, i.e., dealing truthfully with one's own mind, and ecclesiastical honesty, i.e., dealing truthfully with those over one, and those under one, in the Church of England, are indispensable duties.

Now, it is not intellectually honest to continue to act, speak, and think, as if one were certain, when he knows that he is not certain, and when he does not know in his conscience that he ought to be certain. Nor is it ecclesiastically honest to profess certitude where it does not exist.

But, a clergyman is bound by his position to act, speak, and think in private as if he had certitude on some points; and to profess this certitude in public. Therefore, if on any point, where certitude is required, he is conscious that certitude is wanting, it becomes an immediate duty to make enquiry, so as either to attain to certitude, or to renounce the assumption and profession of it. To remain willingly in doubt is dishonest, damaging to one's own soul, and fatal to one's influence for good.

### II.

It is a reply commonly given to those who urge the uncertainty of the Anglican position, that they are wrong in looking for certainty; that God has never promised us certainty. Certainty, of what? Of the reality of His Incarnate Presence? Surely, that is exactly what He has not only promised to give us certainty of, but also has commanded us to be certain of: so that, to doubt of that reality, where it exists, is not misery but sin.

Certainty of our own future salvation is, we know,

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<sup>1</sup> The author is and has been for years a Catholic.

not promised to anyone on earth. To think that it is promised, is the deadly heresy of Calvin. But, in what is the difference between the inner life of the Catholic and the inner life of the consistent Protestant more plain than in this? viz.: that the Catholic bases all his confidence upon the certainty of a Divine life within himself, assured to him by the Sacraments: while the Protestant bases his confidence upon a state of friendship with God, assured to him by his own feelings.

So that, to have confidence in the reality of a Divine life, within oneself, while one doubts about the sacraments which one receives, is to be a Protestant at the bottom of one's soul, whilst living the life of a nominal Catholic. Want of absolute certitude of the reality of one's sacraments must surely be a state of mind analogous to that of which our Lord spoke as the cause of spiritual helplessness, when, in answer to the Apostles' question: Why could not we cast him out? He answered: Because of your unbelief.

### III.

Thoughts upon Certitude seem to divide themselves naturally into answers to three questions:—

I. What is certitude in itself?

II. What is it in relation to faith?

III. How does God will that we should arrive at the certitude, or full assurance of faith?

I. What is certitude in itself?

Certitude is an attitude of the understanding reflecting on itself, knowing that it knows, and reposing, or resting from enquiry, in the conviction that it has arrived at knowledge, or has assented on sufficient evidence.

II. What is certitude in its relation to faith?

Certitude is a part of faith. Faith consists of two parts, namely, realization and certitude.

Realization is the work of the imagination, which was given us for this end, that we might image to ourselves the objects of faith.



Certitude is an attitude of the understanding, convinced that the image realized corresponds with an objective reality, and is not merely a capricious creation of the mind's own vivacity

There can be no true faith without these two parts.

Without realization, faith can have no life or warmth: it is merely notional and abstract: it cannot influence the affections, or be a basis for hope and charity.

Without certitude, faith would be merely an imagination, a fancy, a dream; could be no solid basis for anything; could give no power to the will to control the affections, or even the acts, when the affections are sluggish or rebellious, but would vanish at the first onslaught of passion, or of fear.

Moreover, even the exercise of the affections towards the objects of faith, in the absence of certitude, would be a species of immorality—sacrificing one's inner self to that which, perhaps, has no existence. Neither can the other part of faith, namely, realization, have any permanence, or stability, in the absence of intellectual certitude; but, being a mere fancy, or caprice of the imagination, will necessarily be capricious, or fanciful.

III. How does God will that we should arrive at the certitude, or full assurance of faith?

Certitude, which is an attitude of the understanding, is arrived at by a process of the understanding: only, in the case of faith, by a very definite and particular kind of process, not by any sort of process at random; nor can the process be carried on without supernatural aid.

God has given us reason for our guide, and He means us to use it in seeking Him. He does not mock us by giving us reason, and then treating us as beings without reason. He does not require us to be certain, without giving us sufficient evidence. Only the evidence which God gives us of Divine truth is of a particular kind. It is not direct evidence of each truth separately, which would be the evidence of science, not the evidence of faith. But, He gives us evidence of the credibility (i.e., infallibility, within his province) of some chosen witness, leading us

to infer from this evidence, the credibility of the witness ; and from the credibility of the witness, the truth of what he testifies.

Reason tells us, that it cannot arrive at Divine truth without an infallible guide. For, how can we be commanded to believe undoubtingly that which we know may, perhaps, be false, or to trust an untrustworthy guide ? But, reason demands and revelation offers, credentials, before the latter asks, or the former permits, that the guide should be followed. Revelation distinctly founds its claim to acceptance, partly on the evidence of the credibility of the messenger, which it offers to reason so long as reason submits to conscience, or the inner voice of God. Knowledge arrived at in any other way is not, strictly speaking, faith ; for it is not ' assent to that which is credible as credible.'

Certitude, then, is consciousness of assenting on sufficient evidence. It is a necessary part of faith. And it is arrived at in Divine things by a process of the understanding assisted by grace ; the first step in the process being the discovery of the Divine messenger, the second step, ascertaining what the messenger says. If it be objected that faith is a supernatural grace, a gift supernaturally infused, this in no way contradicts what has been said above. For, what is this infused gift but spiritual understanding, the gift of a participation of the Divine Reason, which does not destroy but regenerates, does not supersede but raises to a higher perfection, the human reason, which was created in its image, and into which it is infused ?

#### IV.

The certitude of faith is necessarily a certitude resting upon *a priori* evidence, and is arrived at by *a priori* inference. It must be so to be ' faith ' at all, i.e., ' assent to that which is credible as credible ; ' or certitude resting upon testimony. It argues thus : This person, who is trustworthy, says so ; therefore it is true. That kind of

assent alone is faith : and that is a certitude resting upon *a priori* inference, an inference from the nature of the case.

In the special case of the Sacraments, still more is it an *a priori* inference ; because the certitude rests upon the fulfilment of a conditional promise, or covenant. We infer thus : Our Lord has promised that, where certain conditions are fulfilled, He will do certain supernatural acts ; the conditions are fulfilled here, therefore the supernatural acts are done. That is an inference from the nature of the case. The sacramental presence is a fact of which no sense, however fine, or delicate, can take cognizance. We know it only upon the word of our Divine Lord. But since His promise is conditional, we can only be sure that it is fulfilled, when we are sure that the conditions are fulfilled.

*A posteriori* evidence, e.g., By their fruits ye shall know them ; or, He that doeth good is of God ; is evidence of the individual's correspondence with the grace which he has received. It does not seem to be set before us as sufficient evidence by itself of the real prophet, or of the real Church ; but only as corroborative evidence where the *a priori* evidence already exists ; and as evidence rather of the prophet's or of the Church's faithfulness, than of his or of its commission.

It is not meant, here, to deny the existence of spiritual intuition, which is the highest kind of faith. But, this is rather the reward of faith than faith itself. As sight, it is rather a foretaste of the future state of the blessed, than the ordinary guide of our present state. It is comparable to a soul, which cannot live upon this earth without a body of the lower kind of faith, to sheathe and protect it. And this spiritual intuition can hardly be the kind of faith by which we know, for example, who are validly ordained priests.

Does anyone assert, that it is promised to Christians that they shall know by intuition who are validly ordained priests, and who are not ? At all events, this spiritual intuition belongs to the individual and is part of private judgment. So that, where it is right to use it, each one



must use his own intuitions, not his neighbour's. In cases within the province of private judgment, no one can shift the responsibility of deciding for himself. But, this spiritual intuition is quite distinct from a *posteriori* inference.

## V.

To say this, is only equivalent to saying, that faith is intelligent, and is not sight ; that 'Faith is the evidence of things not seen.' All knowledge comes either by direct perception, or by inference ; and faith, by its definition, is not direct perception therefore it is the result of inference.

The difference between Faith and Rationalism is—that faith is the assent which follows the inference of the regenerated spiritual understanding, drawing conclusions from the perceptions of the regenerated spiritual senses, and from the statements of God Incarnate : whilst Rationalism is the inference of the natural unregenerated understanding, drawing conclusions from perceptions of the natural senses, and from the statements of unregenerated fallen man.

Regenerated human nature is still human ; and its faculties are the same faculties though transformed. Supernatural faith is still faith, i.e., certitude resting upon the testimony of another ; though the power to apprehend his meaning, as well as the message he brings, is supernatural. Faith cometh by hearing. And the supernatural understanding works according to the analogy of the natural : it perceives, it apprehends, it infers, it asserts. And the perception of the Divine messenger, the apprehension of what he says, the inference that the message is true, because he says it, followed by absolute assent to it, is faith. Thus faith is the result of a process of the spiritual understanding ; and a process which is impossible is the absence of infallible testimony.

It is in this that men differ from angels, and that our state now differs from our state hereafter. The angels know now, and we shall know hereafter, by direct perception : but now, we know by a process. Our present

state has foretastes of our future state, and in some cases seems almost entirely to pass into it, earth becoming heaven before the time. Nevertheless, it remains, that faith as a process is our normal guide ; and that direct spiritual vision is its reward.

Just as the Apostles had, in most cases, to believe in our Lord's resurrection first, on the testimony of another, and saw Him afterwards ; so has He willed, with us also, that the acceptance of external testimony should come first, and afterwards, the clear vision of truth revealed to the inward eye. One reason of this order is evident. We must assent to the whole of Divine truth *in globo* before we can be received into the Church : but, we shall never fully understand all its details as God understands them to all eternity. And it is impossible reasonably to give our absolute assent to that which we do not fully understand, except on the testimony of another whom we know to be infallible. In natural things, we must understand before we can assent ; in spiritual things, we must assent before we can understand, as God understands them.

## VI.

The word Faith, as used in the New Testament, denotes the recognition of the Divine authority of the messenger, as well as the Divine truth of the message. It denotes the mental acknowledgment of the presence of a Divine Person in the person of the messenger, quite as much as the mental acknowledgment of a Divine meaning in the words of the message. That it is essential to a true faith on the one hand to accept and submit to the Divine messenger is evident from our Blessed Lord's words : ' This is the work of God, that ye believe in Him whom He hath sent ;' and that this is to be applied to the collective rulers of the Church follows from the commission, ' As My Father sent Me, even so send I you.'

That it is essential to a true faith on the other hand to receive and hold the true message, is evident from St. John's words : ' If there come any unto you and bring

not this doctrine, receive him not into your house.' And from St. Paul's words: 'Though we, or an angel from heaven, preach any other Gospel unto you than that which we have preached unto you, let him be accursed.'

Now, in the Anglican Church we are in this dilemma: If we submit *ex animo* to the collective Bishops, we reject the Catholic doctrine; if we hold the Catholic doctrine, we reject the Bishops. In either case, there is no true faith. Is not this a *reductio ad absurdum*, which proves the Anglican position to be false?—though, of course, this dilemma only applies to 'High Church' Anglicans, who believe in the Real Presence and Absolution.

## VII.

'Supernatural faith is spiritual faith,' it is said. True: but to make our own supernatural faith of spiritual sight the court of final appeal, as to what the doctrines of the faith really are, and how they ought to be expressed, is, surely, the very essence of *αἵρεσις*—heresy. Most heretics admit that 'the natural man receiveth not the things of the spirit of God.' Only, they make their own spiritual sight the ultimate test of what the Spirit's teaching really is, instead of believing that there is an external Divine Voice, by which the spiritual sight of every individual Christian must be tested and corrected. The spiritual sight of no individual Christian is perfect as yet: all, even the saints, are liable to err. Only to the Church is there a promise that she shall not err. To assert that the Church can err, is to contradict, and thus deny, Christ. Now, is not the very basis of the Anglican position really this, that the individual's spiritual sight, and not the Church's authority, is the legitimate ultimate test of truth to the individual? If so, the position is essentially and fundamentally heretical; and, even if we hold every doctrine of the faith, we hold it, not as faith, but as heresy.

Catholics, on the other hand, manifestly have a test of truth outside themselves in the Infallibility of the



Church ; and, in matters of faith, trust the spiritual sight, not of themselves, but of those whom God has promised to preserve from error.

### VIII.

It has been stated by a leading Anglican teacher, that the security against delusion in spiritual vision is moral rectitude. Surely, this is only one part of the security. The security is threefold :—

I. Submission to the voice of the Eternal Father, which is obedience to the Law of Nature, or moral rectitude.

II. Submission to the voice of the Incarnate Son, which is obedience to the Church

III. Submission to the voice of the Holy Spirit, which is obedience to conscience and providential leadings.

Was is not reliance upon supposed moral rectitude and what seemed to be the voice of conscience, to the exclusion of the external voice of the Church, that led to the wide propagation of the heresies of Arius, Pelagius, Eutyches, and others ?

### IX.

In this relation I will here say a few words on private judgment and infallibility. It is evident that there are some cases in which we are bound to act upon our own private judgment, and cannot shift the responsibility of deciding upon anyone else. It is equally evident that there are some cases in which it is quite wrong to judge for ourselves, and in which it is our duty simply to obey and submit, even though it be against our own judgment.

The question, then, in every case of opposition between our private judgment and authority, is a question of jurisdiction. As there are some things in which we must be guided by our parents, some in which we must be guided by our masters, some by our teachers, some by our sovereign, and so on—because, in each case respectively, these represent to us the authority of God ; so, in some cases, we must be guided by our own judgment (or con-

science), and in others by Church authority, because these, in their respective cases, are the voice of God to us.

The voice of God cannot contradict itself : therefore, when these two guides contradict each other, both cannot be the voice of God ; but, one or the other must be transgressing the limits of its jurisdiction ; and so, in that instance, be destitute of real authority. In this, as in all cases of conflicting authorities, the real question is : To which province does this belong ? Under whose jurisdiction does it rightly come ? Under the jurisdiction of individual responsibility, or Church authority ; of private judgment, or submission ? We need then to define, as nearly as may be, the boundaries of each province, in order to see what cases belong to private judgment and what to authority.

Now, plainly, it belongs to private judgment to decide which is the True Church : because, till this is known, there is nothing but private judgment to go by. It must have been by private judgment that the Apostles recognized our Lord as the Messiah and the Prophet foretold by Moses : for they acted in opposition to the Priests and Scribes. It belongs, also, to private judgment to decide our own duty in ordinary particular cases : because these come under the co-incidence of many general laws, and there cannot be an external authority always at hand to decide for us as the contingencies continually arise ; and in some cases there are circumstances which no one can know but ourselves.

Equally plainly, it belongs to authority in the Church, and not to anyone's private judgment, to decide what is the deposit of faith, and how it ought to be expressed ; and all questions of general principle. To say that we ought to submit our judgment absolutely to others, as to the question : Which is the True Church ? or, to say that we may, consistently with faith, exercise our private judgment upon the doctrines of the Holy Eucharist and Absolution, would alike be contrary both to reason and Scripture.

Now, is it not true, that what one mostly finds among

Anglicans is this? On the question: Which is the True Church? a question which belongs of right to private judgment, a question, the responsibility for deciding which cannot be shifted from our own souls to any authority whatever—on this question, they condemn enquiry, represent that it is sinful to doubt, and require unreasoning submission from all, although they cannot point to any authority to which we are thus required to submit.

On the other hand, as to the doctrines of the faith, on which it is evident that private judgment is utterly out of place, and incompatible with faith, they are content to hold what they do hold merely by private judgment, neither submitting their judgment to any living authority whatever, nor requiring those under them to submit to them: leaving, in fact, the most important doctrines entirely open questions, on which liberty of opinion may be claimed by each, and must be granted to all.

At the same time, Anglicans accuse Roman Catholics of credulity because, on the points which are plainly questions for the Church's authority and not for private judgment to decide, they submit their judgment to the only existing Church authority in the world which seriously and consistently claims obedience, and which has been looked upon by countless multitudes of Christians as infallible for nineteen hundred years. And they accuse converts to the Catholic Church of rationalism, when they appeal to reason, Scripture and history to justify their submission. Does not this transposition and transference of the provinces belonging respectively to private judgment and authority, involve a perversion of reason and an inversion of the Divine order?

## X.

What is it that, by the Incarnation, has been given to man, so far as the knowledge of God is concerned? Surely, this primarily: A Voice among the outer voices of this outer creation, with an articulation which should vibrate in the air and fall on our outer ears, yet endowed with all the certainty of the voice of God. No doubt,



there was to be imparted also to every baptized believer the personal Wisdom of God, within his own soul, by union with whom in the Holy Ghost he would be enabled to understand the deeper mysteries, which that external voice would reveal. But this does not supersede the outer voice of the Church at large, which speaks unerringly to all mankind, to unbelievers as well as to believers, to catechumens as well as to the baptized.

## XI.

The reason why the Jews crucified our Blessed Lord was 'because He made Himself the Son of God.' If He would have withdrawn or disguised this claim, He might have saved His life. But then, this was the very thing which He came to preach: 'I will preach the Law whereof the Lord hath said unto Me, Thou art My Son.'

That it is of the very essence of the Church's duty, as the Body of Christ, to make the same claim, is evident from our Blessed Lord's words: 'As My Father sent Me, even so send I you.' And that the making of it is the cause of the world's enmity to her as well as to Him is shown by the use of the Second Psalm as the infant Church's hymn of victory after her first encounter with the powers of the world. (Acts iv. 25, 26.)

Now, of course, this Divine Sonship involves the possession of the three mediatorial offices of Prophet, Priest, and King; i.e., the commission (1) to reveal God infallibly (2) to offer the real Sacrifice of the real Body of the Incarnate Son, (3) to forgive sins by Absolution to penitent believers, and to shut heaven by excommunication against impenitent unbelievers. To claim this Divine authority, is to claim to be the Church. To fail to assert this claim in the face of the world's enmity, is to renounce the claim to be the Church.

Therefore, if it is not true that the Church of England claims these prerogatives in such sense that all her ministers who deny her these prerogatives are traitors, then it is

evident, that the Church of England, by her own admission, is not any part of the Body of Christ.

Now, is it not perfectly clear that the Church of England, in her corporate capacity at the present day, makes no such claim, but on the contrary, so far as she speaks at all, condemns those who claim such authority in her name? And is it not notorious that the Roman Catholic Church has ever made this claim and is hated by the world because of it.<sup>1</sup>

## XII.

One main purpose of the Church's existence is to provide man, who had rebelled, with a tangible means of tendering his submission to God. The Church is Christ, i.e., God become Incarnate, on purpose that man may come and render Him a willing homage. She abides in weakness, on purpose that the homage may be free and not enforced. A Church, then, that does not claim obedience in spiritual matters from all alike, from the sovereign to the beggar, is a Church which does not claim to be a Church. If the bishops do not assert their Divine authority over the great ones of the earth, they admit that their authority is not Divine; for how can Divine authority respect persons? And if the clergy do not submit to their bishops in spiritual matters, they practically assert that the authority of the bishops is not Divine, and, therefore, still less can their own authority be Divine.

This authority is destroyed by those who are supposed to hold it, and obedience as a reality ceases to exist among us. The only shadow of obedience which remains is obedience to a spiritual director. But that, being obedience to a self-chosen authority which can be dismissed at pleasure, is in reality only obedience to oneself; that is, no true obedience at all. A director can only advise;

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<sup>1</sup> An Anglican Bishop, who afterwards became Archbishop of Canterbury, told the present writer, then one of his clergy, that a clergyman who held belief in the above commission to be included in 'the faith once delivered to saints' could not honestly remain in the Church of England.

he has no right to command. The only real submission is the submission of Catholics to the Church, represented ultimately on earth by the Pope.

### XIII.

One great difference between the Jewish and Christian dispensations is the difference in the manner in which obedience is to be rendered. Of course, the condition of both covenants alike is obedience to the Divine will. But under the Old Covenant that obedience was to take the form of obedience to a written code, while under the New Covenant it was to take the form of obedience to a living person. Moses wrote Ten Commandments; our Blessed Lord sent twelve Apostles. Moses said: 'Cursed is he that continueth not in all things that are written in this book.' Our Lord said: 'He that despiseth you despiseth Me.' He wrote nothing.

Not that the written code was entirely abrogated under the New Covenant; but, while contained and involved—it was absorbed and partly lost sight of, in the intense personality of the New Dispensation. At first, the object of obedience was the Divine Son veiled under the humanity of Jesus of Nazareth. Then, it was this glorified humanity united to the Person of the Word veiled under the regenerate and consecrated humanity of the Apostles. And now, it is the same glorified humanity veiled under the regenerate and consecrated humanity of bishops and priests. Hence, to repudiate obedience to the Apostolic ministry and substitute for it obedience to a written code is to renounce one essential, fundamental, distinctive principle of Christianity, and, so far, to go back to Judaism.

Now, is not the obedience to the Prayer-Book, which many Anglicans profess as their excuse for resistance to their bishops, thus essentially Jewish in character? On the other hand, it needs no proof that the obedience, which Roman Catholics render to the Pope, has the distinctively Christian element of personality.



## XIV.

It is plain that nothing can be *de fide* which is not an essential and inseparable part of the faith once delivered to the saints. If a doctrine can be denied, without that denial depriving the soul of all rights to participation in the privileges of the Christian Covenant, then, that doctrine is not *de fide*. For the very meaning of *de fide* is, 'necessary to be believed as a condition of participation in that Covenant.'

To say that a certain doctrine is *de fide*, and to say at the same time that a person who denies that doctrine has a right to communion, is a contradiction in terms. It is nonsense: it is using words as if they had no meaning at all.

Therefore, if the doctrines of Absolution and of the Real Presence are held *de fide* in the Church of England, then, whenever a bishop ordains a man who openly denies them, that bishop commits a sacrilege; and every bishop and clergyman who does not hold them remains in his office under false pretences of a most awful kind; and everyone who communicates without believing them does it surreptitiously, and therefore sinfully. But, if this is not the case, then those doctrines are not held *de fide* in the Church of England, that is, the Church of England does not hold the Catholic Faith.

## XV.

God's Truth is one, and to deny part is virtually to deny all. It is a *living* whole; and to divide it, is to destroy it. Therefore, heresy serves the great Enemy's purpose (of preventing the union by faith of the soul with God) almost as well as infidelity.

I speak not of imperfect faith, where the soul is on the way to fuller faith, but of deliberate, intelligent rejection of some part of the Divine message; of choosing for oneself what to think about God and His plan of salvation, instead of finding God's messenger and believing him.

Now this spirit of heresy has at different times attacked different sides or facts of the truth. As the Church's definitions have become more exact, the enemy has been compelled to retreat further and further from the citadel—the central doctrines of the Blessed Trinity and the Incarnation. He has been compelled to confine himself more and more to denying details and consequences. First, he attacked the doctrines about the Nature of God. Then, when that was defined, so that no one professing to be a Christian could without absurdity deny those doctrines openly, he retreated to the doctrines about the Person of Jesus Christ, the reality of the union of the Divine and Human Natures in the Person of our Blessed Lord. Being driven from that, his attack is now on the doctrines about the Church. Thus, all modern heresy almost necessarily takes the form of denying the real vital oneness of Jesus Christ with His Church, the reality of His presence and action in the Sacraments.

But, although the manifestation varies, the spirit of heresy is always the same, namely, intellectual rebellion—refusing to receive the witness of God's prophet about things which it cannot fully understand. And, more than that, the modern heresy really involves the ancient ones. Denial of the oneness of Jesus Christ with His Church is a denial of the consequences or fruits, and so of the living reality and vitality, of the Incarnation: and unbelief in the Incarnation is inseparably bound up with unbelief of what is revealed to us about the Nature of God.

Moreover, this modern form of heresy is more practical, more mixed up with and carried out into the actions of our daily life. Or rather, as the action of it is negative and destructive, it separates religion more effectually from our daily life. And this, on the one hand, it is more suited to, and takes more root in, the practical genius of the present day; and, on the other hand, it is possibly more deadly from its pervading and continual influence upon our acts and habits, and so upon our characters.

In this way, the present prevailing denial of the Church's

prerogatives is possibly a more deadly heresy than any of those more abstract ones which rent the Church in ancient days. And in another way also the effect is more destructive, since the denial of the Prophet's supernatural prerogatives takes away all reasonable motive for belief in any part of his message.

## . XVI.

Most people are born into the world under imperfect religious dispensations, whether definitely revealed by God as avowedly preparatory to a promised future one, as the Mosaic dispensation was, or merely permitted by Him, as were the heathen religions and philosophies and the various sects of heretics.

It is the duty of everyone, by the law of Nature, to submit loyally to the religious dispensation, under which the providence of his birth has placed him, until God clearly reveals to him, that He is calling him into one more perfect.

Absolute perfection will not be found in any dispensation, until the manifestation of the new heavens and new earth in the general Resurrection. But the most perfect dispensation, which God has granted or will grant previously to that—the final dispensation which this present earth was destined to receive—is now, we know from Holy Scripture, to be found somewhere upon the earth. This final dispensation is now pursuing its way surrounded by many preparatory ones. Of course, this final dispensation is also, strictly speaking, preparatory; only *not* preparatory for any more perfect one on earth. When God wills to lead a soul out of a preparatory dispensation into this final one, His ordinary way of dealing seems thus set before us in Holy Scripture:—

First, He will give that soul His prophecies—either the Scriptures (as to the Jewish shepherds) or some fragmentary traditions of prophetic truth (as to the Gentile Wise Men), thus raising its anticipations as to the substance of the promised Revelation.



Secondly, He will speak to it individually either by an angel or by a star : that is, either by some visible messenger (angel means messenger) appearing to it on earth in human form in its appointed path of duty, and speaking to it with human words ; or else by lights shown to it in the course of scientific study, or in the heaven of contemplation at the appointed hour of prayer, thus pointing out to it the time and place at which this promised gift will be given.

In this method of Divine dealing Satan, as in everything else, imitates God : so that we are surrounded by false angels and false lights. Therefore, we have need to be extremely cautious lest we be thus deluded by Satan transforming himself into an angel of light. But, if we carry this caution and incredulity so far as to refuse to believe in the reality of the call in spite of every guarantee that it is really from God, we provoke God, as Zacharias did, when he refused to believe in the reality of the angels' appearance to him in the Temple at the hour of sacrifice, where, if anywhere, and when, if anywhen, angels would be likely to appear. Such incredulity is sinful unbelief, for it is almost an entire denial of the supernatural, or the possibility of personal intercourse between God and the individual souls of men.

The purpose of this communication, whether by angel or by star, is to lead the soul to the final dispensation, in which it will find ' Mary, and Joseph, and the Babe lying in a manger,' that is:—

(1) Purity in the active and contemplative life of the Church, in dutiful obedience to the priesthood which she recognizes as the shadow and representative of the Eternal Father ; and

(2) Reverence embodied in the ministrations of the Catholic priesthood ; and

(3) The actual Real Presence of God the Son Incarnate upon earth, lying upon the altars of the Church, rejected by the multitude of even apparently religious people, hated and persecuted by earthly governments, even those of God's professing people, but sung of and witnessed to by angels, and worshipped there by God's elect.

The acceptance of this call must be expected to involve, if need be, the loss of all earthly possessions and hopes and friendships ; but the rejection of this call, when really given, will involve the loss of heaven.

It is thus of vital importance for every member of the Church of England to know for certain, whether that society is truly the Christ or not. If she is, then, to forsake her is to forsake Christ and to follow the steps of Judas : if she is *not*, then, Christ is to found elsewhere, and to reject the call to go elsewhere is to reject the call of Christ and to incur the sentence, 'Ye will not come to Me that ye might have life.'

The Church of England either is Christ, or is not Christ ; there is nothing between, and as the Jews asked of John the Baptist and of our Blessed Lord what each said of himself on this point, so we may ask of the Church of England whether she is the Christ, or not. The question may take different forms : 'Who art thou ? What sayest thou of thyself ?' (John i. 22.) 'Art thou he that should come or do we look for another ?' (Matthew xi. 3.) 'Art thou the Christ the Son of the Blessed ?' (Mark xiv. 61.) 'Art thou, then, the Son of God ?' (Luke xxii. 70.)

If Jesus of Nazareth had once admitted, even to save His life or for any other reason, that He was not the Christ the Son of God, this would have proved that He was not so ; for Christ cannot deny Himself. In the same way, if a society corporately admits, even before kings and parliaments, even to escape destruction, that it has not those prerogatives which are the attributes of Christ, this admission proves conclusively that *that* society is not the Body of Christ.

## XVII.

It is necessary for a clergyman of the Church of England, among other things, to be certain on these two points :—

- (1) That the Church is the Body of Christ.

(2) That the Church of England is really part of the Church.

For, as St. Paul's teaching about our Blessed Lord (Acts xvii. 3) consisted of two parts, namely :—

(1) That Christ must needs have done so and so, because it was foretold of Him.

(2) That this Jesus, whom I preach unto you, is Christ : So our teaching about the Church, which is Christ's Body, must consist of two parts :—

(1) That the Church, being Christ's Body, must needs have certain prerogatives, because Christ said so.

(2) That the society to which we belong is the Church.

### XVIII.

It is not difficult to find in Holy Scripture, in the Fathers, in the Creeds, in history, and in the testimony of good men now living, sufficient evidence on which to base the most perfect certitude on the following points :—

(1) That the Church is a society of men founded by Jesus Christ and gifted by Him with certain prerogatives, which He commanded it to exercise by its officers, in Him for Him, till the end of the world. Consequently, that any society which has not these prerogatives cannot possibly be part of the Church.

(2) That these prerogatives are the Messianic offices of prophet, priest and king.

(3) That the office of Prophet is to reveal to men infallibly what God has willed that men should know about the unseen world and our relation to it.

(4) That the office of Priest is to offer sacrifice and to bless, that is, to act as mediator in presenting man's gifts to God, and conveying God's gifts to man, the gift on both sides peculiar to the Christian covenant being the Body of our Lord Jesus Christ.

(5) That the office of King (*not* of this world) is to promulgate the Divine Law, to shut the gates of the Kingdom of Heaven by excommunication against rebels and unbelievers, and to open them by absolution to penitent believers.



(6) That these sacred prerogatives belong to the Church independently of any earthly government, and that no earthly government can attempt to control the exercise of them without impiety ; nor can the Church allow herself to be controlled in her exercise of them without unfaithfulness to her Lord and Bridegroom, Jesus Christ.

### XIX.

It is abundantly evident from Holy Scripture and from universally acknowledged facts :—

(1) That God has willed us to arrive at the knowledge of the truth primarily through oral testimony, not through writing—‘Faith cometh by hearing.’

(2) That the purpose of Holy Scripture is to corroborate oral testimony.

(3) That every real witness has credentials—God does not expect us to believe His messenger without giving us sufficient evidence that the messenger is sent by Him.

(4) That the Divine message consists of three parts :—

(a) Statements of fact addressed to faith.

(b) Promises addressed to hope.

(c) Commands addressed to charity.

(5) That the message is definite, intelligible, and absolutely certain.

Consequently, to own to having no credentials, or to being unable to make definite, intelligible, and infallible statements about facts, promises, and commands, is to own to being no true prophet. The credentials of the whole Church are historical continuity with the Society which Jesus Christ founded, and correspondence with the prophecies : and the chief credential of each local portion is communion with the rest.

### XX.

It is clear from Holy Scripture, that, when the Prophet has been recognized and his message apprehended, that message must be received, not as the word of men, but as the Word of God. Hence, to criticise or sift it is to

reject the Prophet and his message: for, if the message may be criticised without impiety, it is not God's word, and the bringer of it not a real prophet. From this it is evident that picking and choosing among doctrines according to our own judgment of their inherent probability, is fundamentally contrary to the very notion of faith.

Of course, we must decide according to our own judgment which is the true prophet, and it is in the freedom of that decision that the merit of faith consists. Until that decision has been arrived at—until the Prophet has been acknowledged as the infallible messenger of God—Divine faith cannot act, for there is no known Divine message for Divine faith to receive; but, when the Prophet has been recognized and acknowledged, all that he says, within the limits of his commission, must necessarily be believed. To think otherwise, is to think that God deceives us while walking in His appointed way of arriving at the truth.

Again, it is absurd to talk of receiving part of a person's statement on the strength of his testimony; for, if the other part is false, he is unworthy of credit; and so, if we receive one part, it cannot be received on the strength of his testimony, but for some other reason; and to receive it otherwise than on the strength of the Divine testimony is not to receive it by Divine faith.

## XXI.

If the Church were perfect, infallibility would attach to every individual minister in the Church. The commission: 'As My Father hath sent Me, even so send I you,' would be fulfilled in its completeness to everyone. But sin has marred the Church's perfection, and so hindered the perfect fulfilment of the promise. And therefore, when the individual priest or bishop is thought to err through ignorance or sin, the soul may, without prejudice to its faith, appeal from him to his superior, from part of the Church to the whole. But, if we carry this right of appeal so far as to justify an appeal, not only

from part of the Church to the whole, but from the whole Church to ourselves, we reject the Church as the prophet altogether—we imply that our Blessed Lord's promise has failed, and that sin has entirely conquered the Church.

But the appeal to the superior authority must be *bona fide*, not fictitious; else it is a deception and a cloak for private judgment. The appeal must be to some existing authority, which is able to speak. To refuse to acknowledge every existing voice, while appealing theoretically to a kind of voice and manner of speech, which is not, and is never likely to be, possible, is surely unreal. It is to make the Church a prophet without a voice.

Documents alone, of whatever kind, can never be the Voice of the Church, for documents can always be interpreted to mean different things. The meaning of Acts of Parliament cannot be made clear without judges to interpret them; and *cujus interpretatio, ejus lex*. Moreover, one great difference between the Jewish covenant and the Christian Covenant is, that the Jewish Church was only the keeper and witness of the sacred writings which she confessedly could not interpret (1 Peter i. 12); while the Christian Church has been made by the gift of the Holy Ghost the infallible interpreter of all Scripture (John xiv. 26). And if she is the interpreter of the ancient writings of prophets and apostles, how much more of her own documents composed only a few centuries ago.

Thus, the very notion of faith in the Church, as the Body of Christ, the true Prophet, implies that, though individual ministers are not infallible, the Church must have some living, ascertainable, infallible Voice. And where can such a voice be found to-day except in the Pope?

That such a Voice is not to be found in the Church of England, seems to be asserted, almost dogmatically, in the Nineteenth Article of Religion, 'as the Church of Jerusalem, Alexandria, and Antioch, have erred, so also the Church of Rome hath erred . . . in matters of faith.' This cannot mean that the Church of England is alone infallible. It can only mean that *no* Church is



infallible, or, in other words, that our Lord's promise has failed (Matthew xvi. 18). Moreover, the voices of the English bishops, deliberately encouraging in their clergy, and tolerating among themselves, contradictory teaching on the most vital points, furnish contemporary evidence that this is the true meaning of the Article.

## XXII.

It is quite clear from Scripture that a true faith in Christ involves the belief that the visible Church is really His Body; that it is the Tabernacle in which God dwells with us on earth, in a far more real way than He dwelt in the tabernacle of Moses: so that the acts of Priests in the Sacraments of the Church are really and truly the acts of God Incarnate.

In the Church as Priest, our Lord offers the Eucharistic Sacrifice, which is the reality of which all the Jewish sacrifices were but types. This is a truer sacrifice than the Mosaic offerings, inasmuch as it is identical with that Sacrifice which our Blessed Lord is now presenting in heaven having once for all immolated It upon the Cross. In a true Eucharist, our Blessed Lord is present, and is presenting Himself to the Father here on earth, as truly as He is doing it in heaven.

In the visible Church, too, as King, He conveys forgiveness by the word of His human voice, as He did to the paralytic and others in the Gospel, only much more frequently; these miracles of spiritual healing having been examples and foretastes only before the Day of Pentecost, but being ordinary and daily gifts now within His mystical Body, the Church.

## XXIII.

The following is the real question—is where the only doubt lies. Of all the foregoing there is abundant evidence in Scripture and the Fathers. What we have to decide is precisely this: granting that the predicate, 'Church of Christ,' means 'the visible Society possessing

by Divine charter the Messianic prerogatives,' is there evidence procurable which will justify us in holding, as certain, that the Church of England is the Church of Christ?

To hold this permanently as an opinion—as among the *dubia*, to which *libertas* must be given, because certitude is unattainable—would be to give one's life over deliberately to permanent paralysis. All joy, hope, confidence, strength and peace must proceed, not from the conjecture, but from the certainty that the Church in which one ministers is indeed the Body of Christ.

It is therefore an immediate and paramount duty not to cease from enquiry, until one has attained to certainty, either that it is, or that it is not, the Body of Christ. But, if we are certain that it *is*, what does this certainty involve? It involves, of necessity, by the constitution of our minds, the certainty that the contradictory is false. To be certain that the Church of England is the Body of Christ is to be certain that those, who deny that she possesses the Messianic prerogatives, speak falsely of, nay, deny Christ.

For another reason also this enquiry is a pressing and paramount duty. To be in the visible Church of Christ is the first condition of promised salvation (John xv. 6). Therefore, to remain willingly outside, is to commit the dreadful sin of tempting God. To have the opportunity of joining the True Church and not to take it, is to have the fate of the old Jerusalem, in whom there was not left one stone upon another, 'because she knew not the time of her visitation.'

The question—Which is the true Church?—must necessarily be decided by each one for himself; and upon his right or wrong decision (if the means of deciding rightly are within his reach), his eternal destiny will, at least in great measure, depend.

#### XXIV.

1. In her corporate capacity the Church of England does not claim to be in possession of those powers which

are the inalienable prerogatives of the Body of Christ. In her Nineteenth Article she repudiates for herself, along with the rest of the Church, the office of Prophet ; since it would be the height of absurdity to suppose that Article to mean that the Church of England *alone* is infallible. Moreover, by allowing all sorts of mutually contradictory doctrines to be preached in her pulpits, she translates this repudiation into practice.

Since the beginning of the Tractarian Movement the great controversy has been, as to whether she possesses the other Messianic offices of Priest and King. For many years previously, hardly any one among her clergy or laity had dreamt of her possessing them. When a few clergymen, about 1840, began to assert that she possessed them, the majority of the clergy and laity were horrified at the doctrine, and called it Popery. The Bishops in their charges condemned it ; and the acts, by which this teaching was symbolized, were only tolerated on the ground that they did not necessarily mean it. To-day, they are only tolerated on the same ground. The clergymen who hold that this teaching is part of the Faith once delivered to the saints (technically *de fide*), are told by the highest Anglican authorities that they are dishonest in retaining their position within the Church of England.

These facts, and many similar ones, seem to show clearly that, like St. John the Baptist, she 'confesses and denies not, but confesses, I am not the Christ.'

11. Besides the absurdity of ascribing to the Anglican Church the Messianic prerogatives which in her corporate capacity she does not claim, and of claiming them for ourselves, when the Bishops, from whom we derive our commission, tell us that we do *not* possess them, we are further involved in the direct contradiction, that the doctrines of the Real Presence and of Absolution, the consequence of those prerogatives, *are*, and at the same time *are not*, essential portions of the Faith. We must, and do, hold, that the Church of England teaches them *de fide*, otherwise, we should be obliged to hold that she is a heretical sect. And at the same time we are obliged



to hold, that they are not *de fide* ; otherwise, we could not communicate, as we do, with those who deny them : for the Church has always taught that to communicate *in sacris* with heretics is heresy.

III. We are separated from the main body of Christians. This is a very important evidential fact. We cannot gather from Holy Scripture or the Fathers that Apostolical Succession alone is sufficient to confer these prerogatives. All the early schismatical sects had *that*. What we can gather for certain is, that the promises were given to one society, and that to separate from that Society is to lose them. It is to be 'cut off from Israel.'

IV. The theoretical and practical subjection of the Anglican Episcopate to Parliament is an implicit declaration that the authority committed to it is not the supernatural authority entrusted by our Lord to His vicegerents in the Kingdom of Heaven. For, if it were so, this subservience to the officials of an earthly kindgom would be a base and treasonable betrayal of the most sacred trust ever committed to man.

## XXV.

A great many good and learned persons believe and teach that the Church of England is the Body of Christ ; and their efforts seem to be specially blessed by God, and to bear the fruits of the Spirit. And this seems to be all the evidence which can be brought. Is it enough to build certitude upon ; especially when we remember that a greater number of holier and more learned men, in all parts of the world, believe the contrary ? God's grace works outside the Church : all heretics teach some part of Divine truth. It may be evidence enough to prove, that those individuals who in good faith remain where they are and live holy lives belong to the soul of the Church ; but, it is not sufficient evidence to prove, that they are a part of the Church's body.

## XXVI.

It seems, that the points on which I differ from those

in the Church of England whose doctrine generally I entirely accept, are these :—

I. They seem to take it for granted, that the catechism and liturgy, understood as the primitive Christians would have understood them—ourselves, observe, being judges of how that would be—may rightly be accepted as the definitive voice of the English Church, in spite of bishops, convocation, and a majority of clergy and people.

It seems to me, that the voice of the Church must be a living Voice ; that to make documents, or writings of any kind, the final test in matters of doctrine is, practically, to base everything on private judgment : because *cujus interpretatio, ejus lex*. The interpretation, or real meaning of the law is the essential matter ; and it is simply impossible for written language to be so clear, that it cannot be misinterpreted, or misunderstood. It seems to me, further, that the essential difference between Catholicism and heresy lies in this : that heresy permits every man to be his own Court of final appeal, as to what the documents of the Church really mean ; while Catholicism involves the submission of every individual mind on any given question, to some living person or persons appointed by the collective authority of the Church.

II. They seem to think that the doctrines of the Real Presence and Absolution may be left in some sense among the *dubia*, in which we must grant *libertas* ; that they are not really *de fide*, i.e., that a person who denies them may be admitted to communion ; that we may hold Christian fellowship with bishops and priests who preach against them.

I find it quite impossible to hold those doctrines in that way. I cannot get my mind to admit the hypothesis, that those who deny the real adorable Presence of our Lord's human nature upon our altars are not blasphemers, i.e., persons to whom St. John's command applies : 'Receive him not into your house, neither bid him God-speed.' I cannot get my mind to admit this hypothesis, without *ipso facto* admitting the hypothesis that we are

not really a Church. These two hypotheses seem to my mind absolutely inseparable, nay identical. The power to make Christ really hypostatically present, through the celebration of the Holy Eucharist, and really to forgive sins in confession, are so essential to the very idea of the Church, that to deny these powers to any community is, strictly speaking, the very same thing as to deny that *that* community is a Church. I cannot doubt that a denial of these doctrines is absolutely a denial of two articles to the Apostles' Creed, viz.: the Holy Catholic Church, and the Forgiveness of sins; and so, is a formal renunciation of the baptismal vow and a rejection of the Christian covenant.

Moreover, to admit any room for two opinions here, any assent to the proposition, that the denial of these supernatural powers in the Church is, perhaps, not blasphemy, seems to me utterly fatal to all spiritual energy. A firm, habitual consciousness of the real presence of Jesus in the Sacraments, absolving and feeding the souls with His real Body and Blood is, I believe, the only true basis of a spiritual life. But, a soul that lives in this consciousness must necessarily, it seems to me, abhor as blasphemous a denial of the reality of this presence. To admit that he who denies it is possibly not (objectively) a blasphemer is, *ipso facto*, to admit that, perhaps, this presence is not real; and with admission of this 'perhaps,' the spiritual life collapses, the foundation crumbles, consciousness of reality becomes suspicion of delusion: instead of the consciousness of being God's child, comes the fear that one is still God's enemy: the fire of the steam-engine is quenched, the motive power is gone.

I cannot imagine a person living in the consciousness of this presence, without shrinking from the denial of its reality with the same sort of horror with which he would shrink from a dagger aimed at his heart, or at the heart of his dearest friend; the horror in the former case being as much greater, as the soul is more important than the body: and, looking at it objectively, with the same sort



of horror with which he would behold our Blessed Lord struck in the face.

I know that some very holy people do live in the consciousness of this presence, without feeling themselves bound to renounce the communion of bishops and priests who deny its reality. But, I have tried now for many years, and have utterly failed, to find any way of reconciling this with my notions of truth and intellectual honesty. It seems to me a mental impossibility without obliterating altogether the distinction between truth and falsehood, without making creeds meaningless, and solemn vows of no effect.

The conviction of the impossibility of separating these two propositions, viz. : (1) that the Anglican sacraments are real, and (2) that those who within the Anglican Church deny their reality are blasphemers—this is not so much a conclusion of reason, as an abiding consciousness, which I cannot shake off.

The practical result, and I think, the necessary practical result, in my present position is this : Since it is impossible, consistently with allegiance to our Bishops, to hold the second proposition, viz. : ‘that those who deny this presence in the Anglican Church are blasphemers,’ it is impossible to rest in real certainty of the first, viz. : that our sacraments are real. And without this certainty I, as an Anglican clergyman, cannot do my work ; since, this is the foundation on which all one’s practical life, as a Christian, and one’s ministerial life still more, is based.

Finally it is impossible for Anglicans to believe in the reality of their sacraments with an undoubting faith, because no bishop treats the belief of their reality as *de fide*, that is, as a *sine qua non* condition of communion : because some Bishops with the Archbishops at their head, and multitudes of laymen with the Crown and the Prime Minister at their head, treat the belief of their reality as unfaithfulness to the Church and treason against the State : and also, because there is no *a priori* evidence.

Therefore, to hold that the Anglican sacraments are real, is at best merely an opinion : and opinion is not

faith. But, it is an indispensable duty to believe in the reality of the sacraments which we are given, or which we give, with an undoubting faith ; and therefore, it is a duty to join the only Communion where such faith is possible, viz. : the Communion of the Holy Catholic Church in union with the See of Rome.

T. FREDERICK WILLIS.

## DIALOGUES ON SCRIPTURAL SUBJECTS: THE PENTATEUCH—VIII

(Conclusion)

FATHER O'BRIEN—Before resuming our Dialogue it may be well to recapitulate the leading points of our last. I quoted for you, then, that portion of the recent *Motu Proprio* of the Holy Father, bearing on the authority of the decisions of the Biblical Commission, pointing out as a result that these have the same authority and binding force as those of other Roman Congregations in doctrinal matters. As regards the reply to the second dubium, I said that it presents no difficulty as the Mosaic authorship does not postulate that 'Moses himself wrote with his own hand or dictated to amanuenses all and everything contained in it,' and that there is nothing incompatible with his authorship in the theory of some critics, who hold that he, Moses, 'conceived the work under the influence of divine inspiration, and then entrusted the writing of it to others, who faithfully rendered his meaning, and that Moses himself inspired, approved of the work thus written, and had it published in his name'—but whilst this is so, the Commission itself gives no further decision on the point.

As regards the third dubium, in which is involved what is called the document hypothesis, I pointed out that it may be understood in three ways; one of which is not only orthodox, but, from a critical point of view, practically certain, namely, that Moses in writing the Pentateuch consulted and collated pre-existing written documents as well as oral tradition in order to discover and confirm the truth of what he was about to write. It may be understood in another sense, which is quite unorthodox, because destructive of the Mosaic authorship, and as such condemned by the Decree of the Biblical Commission, namely, in the sense of those who hold that the Pentateuch is a compilation of various independent documents and fragments—



some prior to the time of Moses, some written by Moses himself, and some by authors subsequent to his time—all of which were collated together by some person or persons not known, except conjecturally, but long after the time of Moses. This theory is no longer tenable. There is a third sense in which the document hypothesis may be understood, and which, though not unorthodox nor incompatible with the decision of the Commission, yet viewed from a critical point of view seems to be unnecessary and devoid of solid foundation. I mean in the sense of those who hold that Moses not merely consulted and compared with one another and with oral tradition, pre-existing written documents, and based thereon the narrative of facts contained in Genesis—as all original historians usually do—but that he took these documents, written by different and independent authors, and inserted them as he found them in his own book. In support of this theory they appeal to the different use of the words Jehovah and Elohim to designate God, from which they argue two distinct documents. But I pointed out that both words are used promiscuously, not only in Genesis and the Pentateuch generally, but also in other books of the Old Testament, which are admittedly the work of one author; that in Genesis itself both words occur in the same context, and in some cases even in the same verse, which fact manifestly disproves the document theory. Hence little wonder if, after mature examination, such learned Rationalists as De Wette and Kuenen had to admit that the use of these two names afforded no basis for the different document theory.

PATRICK O'FLAHERTY.—This is, I think, an accurate and substantial summary of the points discussed at our last interview. But you said that the advocates of this theory had other grounds to support it besides the one just alluded to.

FR. O'B.—Yes. They allege that there are some things in the Pentateuch, especially in the Book of Genesis, which it would be most difficult, if not impossible, otherwise to explain. They say that there are frequent repetitions of the history of the same event. Three times, for instance,

the history of the creation of Adam is repeated within the compass of the first five chapters of Genesis. Then there is a marked difference of style between the first chapters of Genesis and the subsequent ones of the same book and the other books of the Pentateuch. How account for the fact that the whole history of seventeen centuries, that is, from the creation of Adam to the Deluge, is compressed into six chapters of Genesis. Then at the beginning or end of certain portions of the narrative, one reads such words as these: 'This is the book of the generation of Adam'; 'These are the generations of Noe,' etc. Now, say the advocates of this theory, in what other way can these repetitions, this diversity of style, these omissions and gaps in the history of the human race, these distinct titles and conclusions to different fragments of narratives, be explained except on the supposition that they were written by different authors at different times; that they fell into the hands of Moses, who did no more than insert them as he found them in the book which he was then writing?

P. O'F.—Whatever may be the solution of these difficulties, there can be no doubt of their existence; they strike almost at once the most cursory reader of the Pentateuch. Then there is something plausible in the different document and compilation theory, at least to the uninitiated like myself.

FR. O'B.—That is not to be wondered at, seeing that it is looked on with favour by some Biblical scholars of repute, even amongst Catholics. Yet, it naturally occurs to one to ask how is it that this simple solution of these difficulties never occurred to the Fathers of the Church, to great Biblical scholars like St. Jerome, with his knowledge of Oriental languages; to St. Augustine, St. Thomas and others. They had all these difficulties before them, and yet none of them dreamt of this document theory as a solution until it occurred to a Parisian physician in the middle of the eighteenth century, and was then seized upon by the enemies of revelation. If this document theory afford a solution of all these difficulties, how account for the extraordinary diversity of opinions and

conjectures about the dates and authors of these various documents?

Again, how far does this never-ceasing process of sundering and breaking up into documents and fragments the Sacred Book, and all most arbitrarily, as it suits the fancy or caprice of every new critic, go to solve these difficulties? Does not this document and fragment theory create more difficulties and entanglements than it solves? And what is the need of it? Is there no other reasonable solution to be given of these difficulties? And if there is, does not the foundation of the hypothesis slip from under it?

They say, that because Moses repeats himself, therefore he cannot be the author of the Pentateuch. But surely repetitions do not necessarily postulate multiplicity of authors; otherwise you would have to suppose, that instead of one, three different persons have been holding these Dialogues, because not less than three times, in order to refresh your memory, I have recapitulated the matter of previous Dialogues, and had necessarily to repeat myself. St. Luke, in the Acts of the Apostles, tells us three times about the conversion of St. Paul. Are we therefore bound to conclude that the Acts are the words, not of one, but of three different authors; or that St. Luke, in composing it, incorporated three different sets of documents into it? And why is it that what is accepted as a rational explanation of certain events in everyday life will not do to solve the difficulties occurring in Genesis and the Pentateuch? If Moses repeated the history of the creation of Adam and some of the Patriarchs, he had sufficient reason for so doing. In the first chapter, his allusion to the creation of Adam was as the complement and completion of the whole work of creation. Then in chapter two, when he begins to relate the history of the human family, he alludes again more clearly and fully to the creation of Adam. And if in chapter five we find the words: 'This is the book of the generation of Adam,' it does not mean any separate book or document, but, according to the force of the Hebrew word, *Sepher*, it means the history or narrative. What is



true of these repetitions regarding the creation of Adam, holds good for those regarding some of the Patriarchs, such as Seth and Enos, and the sons of Noe. For the purpose Moses had in view in writing the Pentateuch, it was a matter of great importance to give clearly and repeatedly the genealogies of the different races. This also accounts for the headings and conclusions of the different parts of the narrative.

The first chapters of Genesis deal with only a few events, and these separated by long intervals. In order to mark off more clearly and emphatically the transition from one epoch and event to another, Moses used these titles and conclusions. Nor does the fact that Moses deals with seventeen centuries in six chapters of Genesis create any special difficulty, if we remember that the object he had in view was to write not a history of the human race, but only of those events which had a special bearing on God's revelation to man, and the order of His providence in the work of the Redemption to come. Nor does diversity of style necessarily mean different authorship. The same author may use a different style according to the theme, time, or other circumstances connected with his work. And so, though the style of the first chapters of Genesis differs from that of the other portions of the Pentateuch, this can be accounted for by the fact that in these early chapters Moses had nothing more to chronicle than the mere dry bones of some few historical facts; important ones, to be sure, connected with the origin of the world and of the human race, and of which, doubtless, he had not a very copious supply of records to draw upon. Little wonder that his style was brief, terse, and colourless. When, however, he came to deal with events more closely connected with the history of the Jewish people, which was to form the main subject of his book, and of which he had ample materials to draw from in the carefully preserved and well-known traditions of that race, then one notices a change. His style is more diffuse and flowing, and in some parts, as I told you in our first interview, for simplicity and sublimity it stands almost unrivalled. Not only the subject-

matter regulates the style of a writer, but various other circumstances in which he writes. Joy and sorrow, victory and defeat, health and infirmity, hope and discouragement, youth and old age, all these give a tinge to the style of a writer. And if this is so, what wonder if in the Pentateuch one discerns some varieties of style, which are the outcome of the varying moods of the author. It was the work of forty years—years of tremendous responsibilities, endless anxieties, with alternations of joys and sorrows, hopes and disappointments, constant wanderings, leading and ruling a people specially privileged yet stiff-necked. What wonder if, in such varying circumstances, apart altogether from the subject-matter, his style varied somewhat.

If, then, there are some varieties in the style of the Pentateuch. they are such as were only natural, considering the varying themes or varying circumstances of the work and its author, and nowise require the theory of distinct, independent documents compiled by Moses to explain them. Hence I have said, that though the hypothesis is compatible with the Mosaic authorship, still, viewing it from a critical point of view, it is not necessary for the purpose for which it was invented, and seems not to rest on any solid foundation.

P. O'F.—But accepting it, then, as a certainty that Moses wrote the Pentateuch, am I bound to believe that the Pentateuch, such as we now possess it, is in every detail the same book as when it left the hand of Moses? Does the Mosaic authorship require so much?

FR. O'B.—By no means. Your difficulty is met in the solution of the fourth dubium, which you will allow me to read for you again, It runs thus:—

'Whether granted the substantial Mosaic authenticity and the integrity of the Pentateuch, it may be admitted that in the long course of ages some modifications have been introduced into it, such as additions after the death of Moses, either inserted by an inspired author or attached to the text as glosses or interpretations; words and forms translated from the ancient language to more recent

language ; and, finally, faulty readings to be ascribed to the error of the amanuensis, concerning which it is lawful to investigate and judge according to the laws of criticism? ’

‘ Answer.—Yes ; due regard being paid to the judgment of the Church.’

In order that you may understand the meaning and consequences of the decision of the Biblical Commission, let me point out to you what is meant by the words, ‘ substantial authenticity and integrity.’ And, first, the integrity of a work means its freedom from corruption. Now, a work may be corrupted either by adding to it, which is called interpolation ; by taking from it, which is called mutilation ; or by changing the words or text, so as to give it a different sense from that of the author, and this is called depravation. Sometimes the word interpolation is used to denote any of these forms of corruption.

If a book be free from all and every alteration, even in minor details, it possesses absolute integrity ; if it be altered in minor and unimportant details, without, however, affecting the substance of the author’s sense, it is said to possess substantial authenticity and integrity. Now, according to the solution of the fourth dubium, nobody is bound to believe that our Pentateuch possesses absolute genuineness and integrity. In the very nature of things it could not ; for, except by a special miracle, which nobody should assume, it was impossible that the Pentateuch could have come down to us through so many ages and vicissitudes without alterations of one kind or another. Hence all we are bound to believe is that our Pentateuch is in substance the same work as that written by Moses ; but that this does not hinder us from admitting that in the course of ages ‘ some modifications may have been introduced into it, such as additions after the death of Moses.’ Here the Commission evidently alludes, amongst other things, to the history of the death and burial of Moses, which is found in the last chapter of Deuteronomy, and which could not have been written by Moses himself. The common opinion of Biblical critics is that this history was written by Josue, and formed the opening chapter of



his own book, but that in the course of time it was taken by some collector or editor of the Sacred Writings from the Book of Josue and tacked on as a suitable conclusion to the Pentateuch. There may be some other additions also of a minor kind by an inspired writer, or some glosses or interpretations attached to the text ; also some changes of forms and words, as well as faulty readings. All these, the Commission tells us, may be admitted without prejudice to the Mosaic authorship. Here it seems to me that the Commission is alluding specially to the work of Esdras, who, after the Babylonian exile, substituted the Babylonian for the ancient Hebrew characters, expurgated the Sacred Books, collected them into one volume, and not improbably, he himself being an inspired writer, added some explanatory notes or interpretations.

When dealing with the authenticity of profane works, whose authors are unquestioned, nobody requires absolute immunity from such minor and accidental modifications of the original text. What has always occurred in such cases must have likewise happened in the case of the Pentateuch, unless one were, as I have said, to invoke the aid of a miracle, which would be uncalled for and not in the least necessary.

P. O'F.—But what are the boundary lines between substantial and accidental modifications ?

FR. O'B.—Even if I were competent to deal with it, that would be too large a question for me to enter on. Here a large field is open up for investigation by Biblical critics ; but in such matters, as the reply says, ' due regard must be paid to the judgment of the Church.'

P. O'F.—In our last interview, speaking of the recent *Motu Proprio* of our Holy Father, you said that henceforward all are bound to submit to the decisions of the Biblical Commission as to the decrees of the Roman Congregations, when approved of by the Sovereign Pontiff. Am I to understand by this that my submission is due only to decrees regarding doctrine by the Biblical Commission, or to other decrees as well ?

FR. O'B.—I am glad you have asked me that question,

as, owing to a faulty version of the Papal document which appeared in early reviews and papers, a ground for doubt was left in the minds of some readers. Now, however, that we have the true version, there can be no longer any doubt that the binding force of the decisions of the Biblical Commission are not limited to questions of doctrine, but embraces all its decisions. Here are the exact words of the official text, translated into English: 'Wherefore we find it necessary to declare and prescribe, as we do now declare and expressly prescribe, that *all are bound in conscience to submit to the decisions of the Pontifical Biblical Commission*, which have been given in the past and shall be given in the future, *in the same way as the decrees which appertain to doctrine* issued by the Sacred Congregations and approved by the Sovereign Pontiff,' etc. From this it clearly follows that the decrees of the Biblical Commission have a binding force on the consciences of Catholics, whether the subject-matter of such decrees be about matters appertaining to doctrine or not. Hence the decree regarding the authenticity of the Pentateuch is as binding on the consciences of Catholics as the decrees, say, of the Holy Office regarding doctrine.

P. O'F.—Is it an infallible pronouncement, then?

FR. O'B.—I have already told you that it is not; but there are decrees which have a binding force on the consciences of Catholics, even though they are not infallible. There is a distinction well known to educated Catholics between infallible and authoritative teaching; the former commands the assent and binds the conscience, because it is absolutely and irrevocably true, the latter because it is proposed to us for our belief by competent and legitimate authority. But there is no need to dilate much longer on this topic, as it does not belong, except incidentally, to the subject of our discussion; but allow me to say that from whatever point of view one considers it, the assent and obedience of Catholics to the decision, apart altogether from our obligations as children of the Catholic Church, is eminently reasonable. For, who form the Biblical Commission? They are men conspicuous for their knowledge of

Scriptural subjects. They have been summoned to Rome from all parts of the world. They are thoroughly conversant with every phase of Biblical criticism, because of their life-long devotion to such studies. Surely the unanimous decision of such a body of itself, apart from the ratification of the Supreme Pontiff, is one eminently deserving of respect.

And the subject-matter of their deliberations, though not one of strict doctrine, yet touched the very foundations of the dogmatic structure of the Church. Protestants a few centuries ago raised the cry of the Bible, the Bible alone, and claimed a monopoly of its use and guardianship. But a nemesis has overtaken this impudent assumption. The Sacred Book is now being torn to tatters by the natural progeny of the sixteenth-century revolt. And those amongst its votaries, who still cling to Christian belief, look on helplessly and hopelessly. Not so in the Catholic Church. It has from the earliest ages regarded the Holy Scriptures as the great basis of revelation ; it has in every age guarded it as a special deposit entrusted to it by Christ. All those questions regarding its genuineness, its integrity, its veracity, in a word, both its human and divine authority, have been ever regarded by it as of vital importance to its own mission and existence. And now, in these latter times, she sees a body of men coming forward, setting at naught the uniform, firm, and unbroken tradition of the Jewish and Christian Churches regarding the author of the first and fundamental book of divine revelation, and opposing to this mere conjectures, baseless assertions, discordant theories, and invite us to accept their conflicting, ever-changing hypotheses, the trend and purpose of which are merely negative and destructive, as a substitute for this time-honoured and trustworthy tradition. The decision of such a tribunal, on a subject of such paramount importance, upholding the tradition of ages against the arrogant assaults of self-constituted judges, approved and confirmed by the authority of the Vicar of Christ, is surely one to win the willing and rational assent of every right-minded Catholic.

H. D. L.



## DOCUMENTS

## LETTER OF POPE PIUS X TO ARCHBISHOP OF QUEBEC

## EPISTOLA

QUA SUMMUS PONTIFEX ARCHIEPISCOPO QUEBECEN. GRATULATUR,  
EUMQUE LAUDAT OB PROMOTAM ACTIONEM SOCIALEM CATHO-  
LICAM.

VENERABILI FRATRI LUDOVICO NAZARIO  
ARCHIEPISCOPO QUEBECENSII.

PIUS PP. X.

*Venerabilis Frater, salutem et Apostolicam benedictionem.*

Qua tu prudentia et vigilantia Archidioecesim regas tuam, e salubri opportunoque consilio, quasi ex argumento omnium certissimo, perspeximus, quod, discrimine vario gravissimoque gregis commotus, recens es amplexus, actionis catholicae socialis apud tuos statuendae eam in rem ut, pro Pontificum monitis, quotquot catholice sentiunt actione iungantur catholica, legitimae libertatis ope sub institutis ac disciplina reipublicae pugnaturi. At illud praeterea pervidisti, si fructus expectentur ex actione huiusmodi uberes vere et mansuros, fulciri eam et provehi adiumento commentarii diurni oportere, qui tamen ipsa sui natura et omni nominis vi se catholicum exhibeat, nihil nisi catholicum ferat, supra civilium dissensiones partium emineat, animatas bene voluntates pro defendenda religione societ et devinciat, populoque sapientibus incorruptisque scriptis praeluceat in Ecclesiae reique publicae quaerenda salute. Opus enim vero aggredieris amplissima plebi tuae allaturum commoda; si quidem est ingenium aetatis ut quae ad vivendi cogitandique rationem pertineant, vulgo e diariis quaquaversus illatis derivet. Sequitur ut mederi malis nostrorum temporum consentanea ratione debeamus. Itaque scripta scriptis opponenda: disseminatis passim opinionibus falsis obiciendae verae sunt; propinatis lectione venenis reperienda medicina in salutarium lectionum pabulo est; diffluentibus quotidie exitiosae efficacitatis diariis aliquo saltem obsistendum bonae notae commentario. Id genus praesidia si posthabeant, nulla ii ratione valebunt in populo, a perspicienda aetatis indole aberunt: contra, is erit censendus aestimator aetatis optimus, qui ad inserendas animis disseminandasque in vulgus sententias apte, studiose et assidue diariis utatur. Iam catholicis vobis catholicamque contendentibus actionem socialem proferre, is unus

poterit profectui esse diarius, qui, pro opportunissimo consilio tuo, catholicam fidem professionemque tueatur universam sive mentibus ad doctrinam Christi informandis, sive regendis ad egregia facinora voluntatibus, sive denique Ecclesia sequenda duce. Nec istud satis; scilicet si catholicus commentarius quibusvis civilibus partibus faveat. Ea propter multum probavimus te quum ephemeridem voluisti a civilibus omne genus studiis semotam: ei namque uni proprium et peculiare illud erit, ut nulli mancipata parti, pertineat ad omnes. Ecclesiam quae omnium mater est et magistra, sine impedimento sequatur, inditam scriptis doctrinam sine invidia, aut ira, aut studio tradat, supremasque religionis et reipublicae rationes singulorum studiis utilitatique non subdat. Igitur magno animo opus insiste quod tam provido condidisti iudicio, idemque ne quid ab instituto, deflectat, constantissime contende. Adversa atque difficilia plurima, quae tamen bonis comitari incoeptis nunquam desivere, obsaepiendo generoso itinere intercedent. Valde autem confidimus validiorem negotiis solertiam tuam existuram, beneque praeterea speramus potiores e clero et populo viros, qui prae caeteris habeant compertum quanti referat actionem sociale catholicam provehere humanaeque consociationi in germana doctrina catholica comparare salutem, allaturos pro viribus opem, et studium gloriamque patrum, quorum tradita in religionem merita accepimus, fore imitatuos. Nos interim solari te in gravissimo incoepto volumus laudemque amplam eandemque publicam quum de inito consilio tuo tum de voluntate, qua institutum persequeris, damus. Ut vero superna etiam auxilia alacrem te Archiepiscopum adiuvent tuosque fideles de navanda opera remunerent, testem dilectionis Nostrae auspicemque divinorum munerum Apostolicam benedictionem tibi et Archidioecesi universae, peramanter impertimus.

Datum Romae apud S. Petrum, die xxvii Maii an. mcmvii,  
Pontificatus Nostri quarto. PIUS PP. X.

### THE BIBLICAL COMMISSION AND MODERNISM

SANCTISSIMI DOMINI NOSTRI PII DIVINA PROVIDENTIA PAPE X.  
MOTU PROPRIO.

DE SENTENTIIS PONTIFICALIS CONSILII REI BIBLICAE PROVEHENDAE PRAEPOSITI AC DE CENSURIS ET POENIS IN EOS QUI PRAESCRIPTA ADVERSUS MODERNISTARUM ERRORES NEGLEXERINT.

Praestantia Scripturae Sacrae enarratâ, eiusque commendato studio, Litteris Encyclicis *Providentissimus Deus*, datis xiv

calendas Decembres a. MDCCCLXXXIII, Leo XIII, Noster immortalis memoriae Decessor, leges descripsit quibus Sacrorum Bibliorum studia ratione proba regerentur; Librisque divinis contra errores calumniasque Rationalistarum assertis, simul et ab opinionibus vindicavit falsae doctrinae, quae *critica sublimior* audit; quas quidem opiniones nihil esse aliud palam est, nisi *Rationalismi commenta*, quemadmodum sapientissime, scribebat Pontifex, *e philologia et finitimis disciplinis detorta*.

Ingravescenti autem in dies periculo prospecturus, quod inconsultarum deviarumque sententiarum propagationem parabatur, Litteris Apostolicis *Vigilantiae studi que memores*, tertio calendas Novembres a MDCCCCII datis, Decessor idem Noster Pontificale Consilium seu *Commissionem* de re Biblica condidit, aliquot doctrina et prudentia claros S. R. E. Cardinales complexam, quibus, Consultorum nomine complures e sacro ordine adiecti sunt viri, e doctis scientia theologiae Bibliorumque Sacrorum delecti, natione varii, studiorum exegeticorum methodo atque opinamenti dissimiles. Scilicet id commodum Pontifex, aptissimum studiis et aetati, animo spectabat, fieri in Consilio locum sententiis quibusvis libertate omnimoda proponendis, expendendis disceptandisque; neque ante, secundum eas Litteras, certa aliqua in sententia debere Purpuratos Patres consistere, quam quum cognita prius et in utramque partem examinata rerum argumenta forent, nihilque esset posthabitu, quod posset clarissimo collocare in lumine verum sincerumque propositarum de re Biblica quaestionum statum: hoc demum emenso cursu, debere sententias Pontifici Summo subiici probanda, ac deinde pervulgari.

Post diuturna rerum iudicia consultationesque diligentissimas, quaedam feliciter a Pontificio de re Biblica Consilio emissae sententiae sunt, provehendis germane biblicis studiis, iisdemque certa norma dirigendis perutiles. At vero minime deesse conspicimus qui, plus nimio ad opiniones methodosque prae perniciosis novitatibus affectas, studioque praeter modum abrepti falsae libertatis, quae sane est licentia intemperans, probatque se in doctrinis sacris equidem insidiosissimam maximorumque malorum contra fidei puritatem fecundam, non eo, quo par est, obsequio sententias eiusmodi, quamquam a Pontifice probatas, exceperint aut excipiant.

Quae propter declarandum illud praecipiendumque videmus quemadmodum declaramus in praesens expresseque praecipimus, universos omnes conscientiae obstringi officio sententiis Pontificalis Consilii de re Biblica, ad doctrinam pertinentibus, sive quae adhuc sunt emissae sive quae posthac edentur, perinde ac Decretis Sacrarum Congregationum a Pontifice probatis, se



subiiciendi; nec posse notam tum detrectatae obedientiae tum temeritatis devitare aut culpa propterea vacare gravi quotquot verbis scriptisve sententias has tales impugnent; idque praeter scandalum, quo offendant, ceteraque quibus in causa esse coram Deo possint, aliis, ut plurimum, temere in his errateque pronuntiatis.

Ad haec, audentiores quotidie spiritus complurium modernistarum repressuri, qui sophismatis artificiisque omne genus vim efficacitatemque nituntur adimere non Decreto solum *Lamentabili sane exitu*, quod v nonas iulias anni vertentis R. S. et U. Inquisitio, Nobis iubentibus, edidit, verum etiam Litteris Encyclicis Nostris *Pascendi Dominici gregis*, datis die VIII mensis Septembris istius eiusdem anni, Auctoritate Nostra Apostolica iteramus confirmamusque tum *Decretum* illud Congregationis Sacrae Supremae, tum *Litteras* eas Nostras *Encyclicas*, addita *excommunicationis* poena adversus contradictores; illudque declaramus ac decernimus, si quis, quod Deus avertat, eo audaciae progrediatur ut quamlibet e propositionibus, opinionibus doctrinisque in alterutro documento, quod supra diximus, improbatis tueatur, censura ipso facto plecti capite *Docentes* Constitutionis *Apostolicae Sedis* irrogatâ, quae prima est in excommunicationibus latae sententiae Romano Pontifici simpliciter reservatis. Haec autem excommunicatio salvis poenis est intelligenda, in quas, qui contra memorata documenta quidpiam commiserint, possint, uti propagatores defensoresque haeresum incurrere, si quando eorum propositiones, opiniones doctrinaeve haereticae sint, quod quidem de utriusque illius documenti adversariis plus semel usuvenit, tum vero maxime quum modernistarum errores, id est *omnium haereseon collectum*, propugnant.

His constitutis, Ordinariis dioecesum et Moderatoribus Religiosarum Consociationum denuo vehementerque commendamus, velint pervigiles in magistros esse, Seminariorum in primis; repertosque erroribus modernistarum imbutos, novarum nocentiumque rerum studiosos, aut minus ad praescripta Sedis Apostolicae, utcumque edita, dociles, magisterio prorsus interdican: a sacris item ordinibus adolescentes excludant, qui vel minimum dubitationis iniiciant doctrinas se consecrari damnatus novitatesque maleficas. Simul hortamur, observare studiose ne cessent libros aliaque scripta, nimium quidem percrebrescentia, quae opiniones proclivitatesque gerant tales, ut improbatis per Encyclicas Litteras Decretumque supra dicta consentiant: ea summovenda curent ex officinis librariis catholicis multoque magis e studiosae iuventutis Clerique manibus. Id si sollerter accuraverint, verae etiam solidaeque faverint institutioni mentium in qua maxime debet sacrorum Praesulum sollicitudo versari.

Haec Nos universa rata et firma consistere auctoritate Nostra volumus et iubemus, contrariis non obstantibus quibuscumque.

Datum Romae apud Sanctum Petrum die XVIII mensis Novembris a. MDCCCXVII, Pontificatus Nostri quinto.

PIUS PP. X.

### FAST AND ABSTINENCE OF RELIGIOUS

DE IEIUNIIS ET ABSTINENTIA FAMILIARUM RELIGIOSARUM  
UTRIUSQUE SEXUS PROPRIIS

### DECLARATIO

*Feria IV, die 24 Aprilis, 1907*

In generali conventu Supremae Sacrae Congregationis S. Officii, habito supradicta feria ac die, proposito dubio: 'Num articulo 6° Decreti feria IV, 5 Septembris, 1906, *De ieiunii et abstinentiae lege in Italia reformanda* quidquam derogatum fuerit ieiuniis et abstinentiis Religiosis utriusque sexus Familiis a propriis ipsarum Regulis et Constitutionibus praescriptis; ' Eñi ac Rñi Dñi Cardinales Inquisitores Generales, prae habito Rñorum DD. Consultorum voto, respondendum decreverunt: 'Negative; ideoque quod ad ieiunia et abstinentia ex generali Ecclesiae praecepto servandas, Religiosas utriusque sexus Familias, peculiari ieiunii aut abstinentiae voto non adstrictas, eadem ac simplices fideles lege uti posse; quod ad ieiunia vero et abstinentias eis proprias, standum esse uniuscuiusque ipsarum Regulis et Constitutionibus.'

Et sequenti feria V, die 25 eiusdem mensis, SSñus D. N. Pius divina providentia PP. X relata sibi Emorum, Patrum resolutionem benigne adprobare et confirmare dignatus est.

PETRUS PALOMBELLI, S.R.U.I. Notarius.

### ANGUSTIA LOCI

DUBIA PROPOSITA ATQUE IUXTA MONEM EIUSDEM S. C. DE IURE  
RESOLUTA IN GENERALIBUS COMITIIS DIEI 24 AUGUSTI 1907.  
S. CLAUDII, DE DISPENSATIONIBUS MATRIMONII OB ANGUSTIAM  
LOCI

Episcopus S. Claudii mense Aprili elapso sequens, gallico exaratum idiomate, postulatum S. Poenitentiariae obtulit.

Interdum accidit ut duo supplicantes, qui a Summo Pontifice

dispensationem petunt ab aliquo impedimento dirimente, comorentur, vel ortum duxerint in eadem paroecia, quae numero constet tercenti focorum, sed efformetur a variis pagis inter se parum distantibus, et oratores non in eodem loco sed in distinctis locis, paroeciam unicam constituentibus inhabitent, vel nati sint.

Parochus declarat oratores esse paroeciae N. et causa, quae ad dispensationem obtinendam adducitur, est angustia *loci originis* vel *domicilii*, iuxta casus.

Dataria Apostolica in concedendis dispensationibus praefatam causam ita exprimit ‘. . . *cum dicta mulier in loco quo ipsa et orator praefatus domicilium habent, vel (in loco ex quo ipsa et orator praefatus orti sunt)* . . . propter illius angustiam virum paris conditionis cui nubere possit, invenire nequeat.’

Oratores ergo domicilium habent et orti sunt in territorio eiusdem paroeciae N. quae vix numerum attingit tercentum focorum sed habitant, vel nati sunt, in locis distinctis qui paroeciam efformant. Quare petiit praefatus Episcopus :

‘An hisce in casibus praedictae dispensationes uti validae censendae sint, et hinc ad executionem demandare possint.’

Huic petitioni a S. Poenitentiaria sub die 2 Maii mox decursi ita fuit responsum : ‘S. Poenitentiaria super praemissis consultata respondet :—Angustiam loci esse causam quae a muliere alleganda est. Pro solutione vero propositae quaestionis recurrendum esse ad S. Congregationem Concilii.’

Iam vero proposita quaestio uti ex transcripto postulato, non refertur ad casum in quo mulier et sponsus sint ex eodem angusto loco vel in eodem loco angusto commorantur, sed ad alium profecto diversum, quando nempe locus nativitatis vel domicilii mulieris est omnino distinctus a loco originis vel commorationis viri, licet hi loci sint in eadem paroecia et numerum tercentorum focorum non efforment. In primo casu iuxta canonistas habetur angustia loci, in secundo angustia locorum : item angustia locorum habetur, quando parentes mulieris relicto loco originis, in alio domicilium vel quasi domicilium figunt, et hi duo loci angusti sunt. Verum proposita quaestio ad hunc casum non item sese extendit in quo habetur simplex angustia locorum, sed tantum ad casum in quo locus originis vel domicilii mulieris est omnino distinctus a loco originis vel domicilii viri, et qui constituit angustiam locorum etiam ab uno loco esse transferendo ad alium.

Age vero formula adhibita a Dataria Apostolica pro concessione dispensationis in primo casu est prout refertur in memorato postulato. Formula vero pro secundo casu est sequens,



prouti ea inscribitur apud ephemeridem *Analecta Iur. Pontif. v. IX, pag. 457*. 'Exponitur ex parte oratorum . . . quod cum dicta mulier in locis ex quibus ipsa et Orator praefatus orti sunt, in dicta dioecesi existentibus etiam de uno ad alium sese transferendo propter illorum angustiam virum paris conditionis, cui nubere possit, invenire nequeat, cupiunt. . . .'

Item secundo cum angustia locorum pari gressu procedat cum altera causa nempe ob angustiam loci sequitur hanc duplicem esse nempe absolutam et relativam, uti expresse edicitur in instructione emissa a S. C. de Propaganda Fide sub die 9 Maii, 1877 super causis pro dispensationibus matrimonialibus.

I. 'Angustia loci sive absoluta sive relativa (ratione tantum oratricis) cum scilicet in loco originis vel etiam domicilii cognatio foeminae ita sit propagata, ut alium paris conditionis cui nubat, invenire nequeat, nisi consanguineum vel affinem; patriam vero deserere sit ei durum.' Profecto iuxta litteras circulares ad Episcopos natas a Cardinali Pro-Datario de mandato Pontificis s. m. Pii IX sub die 30 Augusti, 1847, locus angustus censetur si non contineat ultra 300 focos seu 1500 incolas: et ex responso dato ab eadem A. Dataria ad H. S. C. et relato in sausa *Valven. 8 Martii, 1884*, habetur quod 'Angustia loci tunc verificatur cum eius focularia numerum 300 non excedunt; nec officit quod locus angustus parum ab aliq dissitus existat, dummodo ista duo loca sint inter se distincta ac diversa, propriamque denominationem habeant. Aliqua autem distantia requiritur in suburbiis, quae quamvis civitatis partem constituent, nihilominus in ipsis admittitur cum per milliare aut paulo minus a civitate distent.' Haec autem distantia potest etiam esse minor, quando accedat difficultas et asperitas viarum, uti in praecitata *Valven.* fuit resolutum.

Nec est praetereundum quod huiusmodi loci angustia non desumitur ab ambitu et territorio paroeciae, sed a numero focorum cuiusque loci. Id patet ex sequenti responso tradito ab H. S. C. in causa *Oveten.* diei 16 Decembris, 1876. 'Angustiam loci non esse desumendam a numero focorum cuiusque paroeciae, sed a numero focorum cuiusque loci, vel etiam plurium locorum si non distent ab invicem ultra milliare.'

Igitur angustia loci verificatur quando foemina honestae familiae in loco sive originis sive domicilii, qui locus non excedat numerum 300 focorum non valet invenire virum paris conditionis pro matrimonio, nisi nubat affini vel consanguineo; haec angustia loci vocatur absoluta. Attamen si mulier ob altiores suas qualitates, puta nobilitatem, genus culturae et alia huiusmodi, virum paris conditionis invenire nequeat cui nubat, etiam in loco ampliori complectente plusquam 300 focos, tunc non habetur

proprie angustia loci, cum locus sit amplus, sed potius alia causa desumpta ex qualitate personae, quae audit angustia loci relativa.

Hisce enucleatis ad intelligentiam propositae quaestionis nunc videndum superest utrum in supplicatione pro dispensatione ab impedimentis matrimonii in enunciato casu opus sit sub poena nullitatis gratiae distincte exprimere locos sive originis sive habitationis tum mulieris tum viri ad invicem dissitos plusquam 20 temporis momenta, licet positos intra eiusdem paroeciae ambitum quae non excedit 300 focos, seu aliis verbis quaeritur an tantum satis sit adducere pro dispensatione obtinenda angustiam loci sive originis sive habitationis, prouti est in more apud dioecesim S. Claudii, vel etiam alia causa nempe angustia locorum est de necessitate exprimenda.

Ad propositam quaestionem videretur posse responderi satis esse exponere angustiam loci prout fieri consuescit pro re nata a parochis dioecesis S. Claudii. Revera si percurratur tota instructio supra citata de Propaganda fide de hac causa nullum verbum fit, quamvis ibi singillatim recenseantur causae, quae viam sternunt ad dispensationem obtinendam super impedimentis matrimonii. Ergo haec causa vel non existit, vel si existit dici debet comprehensa in illa ob angustiam loci.

Id etiam confirmatur ex alia ratione. Scitum profecto est angustiam loci tamquam causam pro obtinenda dispensatione admissam tantum fuisse favore mulieris, et ab ipsa tantum esse allegandam; ecclesia enim perpendit pudorem et honestatem mulieris quae non sinunt ut ipsa verum sibi quaerat extra proprium locum et ita etiam solatio parentum maneat destituta. Ergo tantum respectus habendus est ad locum sive originis sive domicilii mulieris, non autem ad locum viri pro quo hoc privilegium non militat cum ipse uxorem alibi quaeritare valeat. Neque dicatur in themate angustiam duorum locorum insuper esse experimendam, quia hi duo loci sunt inter se distincti et notabiliter ad invicem distant nempe per spatium ultra 20 minuta. Reponi enim potest quod isti loci sunt intra limites eiusdem paroeciae et nihil obest quod inter se notabiliter distent nam sive divisim sive insimul sumpti non conficiunt 300 focos. Unde sufficere videretur tantum adducere angustiam loci quia, iuxta responsum Datariae Apostolicae in causa *Valven.* coram H. S. C. superius citatum: 'Angustia loci tunc verificatur, cum eius focularia numerum 300 non excedunt: nec officit quod locus angustus parum ab alio dissitus existat, dummodo ista duo loca sint inter se distincta ac diversa, propriamque denominationem habeant.'

Demum etiam paulisper retento, quod angustia locorum

in supplicatione prout in casu esset exprimenda, adhuc inquiri oporteret utrum eius ommissio breve dispensationis vitia- ret.

Equidem conclusio de nullitate rescripti in casu omissionis non satis fundata videretur, tum quia de hac poena nullibi habetur sermo in memorata instructione, tum quia haec causa implicite continetur in causa exposita ob angustiam loci : nam mulier et sponsus quamvis habeant originem vel domicilium in diversis locis, tamen cum hi loci sint sub eadem paroecia, et non efforment 300 focos, vere dici possunt esse vel commorari in loco angusto, et hinc a muliere pro dispensatione sufficienter adducitur angustia loci.

Ex adverso non videntur etiam argumenta fuisse quae suadeant in proposito casu angustiam locorum necessario esse exponendam, ita ut ea reticita in precibus Breve concessionis Pontificiae ab Ordinario rite executioni committi non valeat. Utique in pluries memorata instructione de hac causa expresse mentio non fit, quia in ipsa tantum communiores et potiores causae recensentur, uti in ipsius contextu asseritur relato apud ephemeridem *Monitore Eccl.*, vol. I, pag. 316.

‘Accedit quandoque, ut in huiusmodi supplicationibus ea omittantur, quae necessario exprimi debent, ne dispensatio nullitatis vitio laboret. Idcirco opportunum visum fuit in praesenti instructione paucis perstringere praecipuas illas causas, quae matrimoniales dispensationes obtinendas iuxta canonicas sanctiones et prudens ecclesiasticae provisionis arbitrium pro sufficientibus haberi consueverunt.’ Hinc recensio causarum cum non sit taxativa sed potius demonstrativa, ex eo quod in instructione non recurat sermo de causa ob angustiam locorum nihil inferi licet.

Quod autem huiusmodi causa sit exprimenda pluribus videtur posse demonstrari. Primo id deducitur ex hisce instructionis verbis : ‘Atque ut a causis dispensationum exordium ducatur, operae pretium erit in primis animadvertere, unam aliquando causam seorsim acceptam insufficientem esse, sed alteri adiunctam sufficientem existimari : nam quae non prosunt singula, unita iuvant’ *arg. l. 5. Cod. de prob.* Quare si habeatur non tantum angustia loci sed etiam angustia locorum, haec debet exprimi quia cum altera causa coniuncta evadere potest sufficiens ad dispensationem super proposito impedimento consequendam.

Idque eo fortius nunc videtur esse retinendum quia, ut ait Pompen. *l. c. n.* 34 et Feye *l. c. n.* 655, olim propter solam angustiam loci non dispensabatur nisi in gradibus tertio et quarto ; hodie vero etiam in gradu secundo.

Unde si praeter loci angustiam, extet angustia locorum, haec accurate in precibus est declaranda.



Secundo necessitas expositionis huius causae eruitur ex formula Datariae Apostolicae superius exscripta, quae causa inibi appellatur ‘ob angustiam locorum etiam de uno loco ad alium sese transferendo.’ Iam vero quod praxis et stylus Curiae legem efformet, nemo est qui ignoret.

Tertio exposita doctrina cohaeret communi sensui canonistarum. Ita ephemeris *Monitore Eccl.*, vol. 13, l.c. ait: ‘Se poi gli sposi sono di luoghi diversi tutti e due angusti, (prouti in praesenti postulato) ciò è bene che ancor si dichiari . . . perchè in tal caso la concessione è più facile.’ Ita etiam docet Pompen. l. c.: ‘Si in supplicatione simpliciter dicitur angustia loci intelligitur locus originis et in quo mulier cum iuvene habitat.’ Pir. Corradus *Prax. Dispensat. Apost. lib. 7, cap 5, n. 30.* Unde si angustus est solus locus habitationis puellae et non locus nativitatis, aut solus locus nativitatis et non habitationis, item si iuvenis est ex diverso loco oriundus aut in alio loco habitat haec omnia clare in supplicatione exponantur, ne in rescripto tales occurrant termini qui verificari nequeant.’ Idem tradit Feye opere citato n. 652. Ratio est quia angustia locorum magis efficax esse videtur ad dispensationem obtinendam, quam simplex angustia loci.

Ex hucusque autem expositis videretur posse etiam concludi, quod existente dicta causa angustiae locorum ea esset exponenda sub poena nullitatis concessionis. Primo quia eius expressio praescribitur ex stylo Curiae: hinc ut superius visum fuit alia est formula Brevis dispensationis ex angustia loci concedendae et alia ex causa ob angustiam locorum. Secundo quia obreptio vel subreptio in themate versatur circa causam finalem concessionis. Hinc si praeter falso adductam causam finalem, aliae finales et sufficientes non extent, dispensatio vitiatur. Pompen. l.c. n. 110. Tertio id etiam induci vel colligi potest ex fine a dicta instructione sibi propositio et expresso. Eatenus enim rigorosas praescriptiones circa numerum et expositionem causarum dedit, ne scilicet obtenta dispensatio nullitatis vitio tabesceret.

Semel autem statuto quod super enunciata causa sub poena nullitatis sit exprimenda, sponte sua sequitur dispensationes hac causa reticita obtentas per se nullas esse et a delegato Apostolico non posse executioni demandari, seu fulminari ut nonnulli dicunt auctores.

Regulae enim a dicta instructione editae tam recurrentes pro dispensatione quam eius executores afficiunt, uti in ea sancitur. ‘Haec prae oculis habere debent non modo qui ad S. Sedem pro obtinenda aliqua dispensatione recurrunt, sed etiam qui ex Pontificia delegatione dispensare per se ipsi valent, ut facultatibus quibus pollent, rite, ut par est. utantur.’

Praemissis mature perpensis, Eñi Patres respondendum censuerunt proposito dubio :

*' Affirmative.'*

**FACULTIES GRANTED TO CONGREGATION OF THE MISSION  
REGARDING THE CELEBRATION OF MASS IN MISSIONS**

**CONGREGATIONIS MISSIONIS**

**FACULTAS CONCEDITUR CELEBRANDI MISSAM DE REQUIE IN SS.  
MISSIONIBUS**

Augustinus Veneziani, Procurator generalis congregationis Missionis ad Pedes Sanctitatis Vestrae provolutus, humillime implorat, ut quoties a presbyteris eiusdem congregationis de Ordinariis consensu sacrae Missiones in quibuslibet ecclesiis peraguntur, cantari inibi valeat unica Missa de requie pro animabus defunctorum, postrema die earundem Missionum, vel alia die deligenda, etiam occurrente Officio duplici.

Et Deus etc.

Sacra Rituum Congregatio, utendo facultatibus sibi specialiter a Sanctissimo Domino Nostro Pio Papa X tributis, attentis expositis, benigne annuit pro gratia iuxta preces ad proximum decennium : dummodo non occurrat duplex primae vel secundae classis festum de praecepto servandum, Feria, Vigilia vel Octava quae sint ex privilegiatis : servatis Rubricis, contrariis non obstantibus quibuscumque.

Die 2 Martii 1906.

L. ✠ S.

S. Card. CRETONI, *Praefectus*.

✠ D. PANICI, *Archiep. Laodicen., Secretarius*.

**INCENSATION OF THE BLESSED SACRAMENT**

**DERTHONEN**

**DE INCENSATIONE PERAGENDA IN EXPOSITIONE SS. SACRAMENTI**

Hodiernus Calendarista dioecesis Derthonensis, de consensu sui Rñi Episcopi, a Sacra Rituum Congregatione sequentium dubiorum solutionem humiliter expostulavit ; nimirum :

I. Quoties incensandum SSñum Eucharistiae Sacramentum, si hoc exponatur pro benedictione ?

II. Quum SSñum Sacramentum a mane usque ad Vesperas maneat expositum, Celebrans qui cum ministris accedit ad altare expositionis, post praescriptam reverentiam et antequam aliquid cantetur, debetne facere incensationem ?

Et Sacra Rituum Congregatio ad relationem subscripti Secretarii, exquisito voto Commissionis Liturgicae, ita respondendum censuit :

Ad I. '*Iuxta responsum d. d. 14 Maii, 1907 in Pinerolien., nempe : Pro expositione in Pyxide incensationem non requiri. Quod expositionem vero in Ostensorio duplicem incensationem requiri, unam post expositum SSmum. Sacramentum, antequam incipiantur preces, alteram ad stropham Gœnitori, etsi inter expositionem et Tantum ergo nullae interponantur preces ; et haec est praxis Ecclesiarum Urbis.*'

Ad II. '*Negative.*'

Atque ita rescripsit, die 5 Iulii, 1907.

L. ✠ S.

S. Card. CRETONI, *Praefectus.*

✠ D. PANICI, *Archiep. Laodicen., Secretarius.*

#### BINATION OF MASS

##### S. CONGREGATIO CONCILII

DUBIA PROPOSITA ATQUE IUXTA MOREM EIUSDDEM S.C. DE IURE  
RESOLUTA IN GENERALIBUS COMITIIS DIEI 23 NOVEMBRIS  
1907

*Per summaria precum :*

##### BONONIEN ET ALIARUM.—ITERATIONIS MISSAE

Gravis quaestio de missae iteratione, quae iam anteactis temporibus non semel agitata fuit, hodie praesertim, ob peculiarium rerum ac temporum adiuncta, in praxi maiores ac frequentiores praesefert difficultates. Quocirca factum est ut nonnulli locorum Ordinarii ex dissitis etiam regionibus, ancipites existentes in concedenda vel deneganda missae binatione, recursum habuerunt ad hanc S.C. pro opportunis instructionibus ; alii e contra instantias porrexerunt pro iterando sacro nedum in casu verae fidelium necessitatis sed simplicis etiam utilitatis seu commoditatis.

Quin imo, quum disciplina circa missae iterationem hucusque vigens plus aequo liberam fortasse relinqueret interpretationem, non raro evenit ut contraria praxis circa binationem induceretur inter dioeceses etiam finitimas. Hinc praesertim ex nimis lata legis interpretatione alicubi graves exorti sunt abusus et populi scandalum.

Hisc igitur perpensis, quum non sat sufficiens visum sit in casu recurrere ad medium ordinarium privatae responsionis, vel



concessionis aut denegationis gratiae, res ex professo in plenaria Congregatione iudicio EE. PP. proposita fuit, qui pro ea qua pol-  
lent experientia ac scientia, iudicarent an et quas regulas prac-  
ticas in re decernere oporteat ut tandem aliquando obtineatur  
ubique optata conformitas in sacri binatione.

Hoc super tanti momenti negotio, uti consultor scripsit R. P.  
Pius a Langonio ea qua a cunctis nota est peritia ac doctrina.  
Votum praeclaris consultoris ob spatii deficientiam omittere  
cogimur, quare tantum conclusiones ad maiorem intelligentiam  
rescripti S. C. huc referimus. En ergo conclusiones quas prae-  
fatus Canonista sapientissimo EE. PP. iudicio submisit :

1. Abusus in iteratione Sacrorum, disciplinae vigenti nequa-  
quam imputandi videntur, utpote quae, sapienti circumspec-  
tione, tum nimiam rigiditatem tum faciliorem laxitatem perbelle  
devitet ; et ideo non est locus quibuslibet circa disciplinam  
vigentem restrictionibus aut ampliationibus proprie dictis, sive  
quoad causas, sive quoad condiciones praestabilitas.

2. Potissima abusuum causa desumenda videtur partim ex be-  
nigniori condescensione Ordinariorum erga Parochos, partimque,  
et praecipue, ex ipsorum Parochorum importunis instantiis, in  
quibus vera necessitas allegatur, ubi vix ac ne vix quidem mera  
commoditas agnosci potest.

3. Hinc Ordinarios, per H. S. C. admoneri praestat, ne dein-  
ceps licentiam iterandi concedant, nisi prius, praehabitis infor-  
mationibus omni exceptione maioribus, de causa vere sufficienti,  
praesertim de sacerdotum in loco penuria, satis constet, exclusa  
semper et absolute licentia pro cuiuslibet familiae privatae  
commoditate.

4. Item admonendos esse ne supplices libellos Parochorum  
ad S. Sedem in casibus dubiis porrectos, commendent, nisi de  
veritate expositorum pariter constet.

5. Episcopis facultas impertiatur qua nomine S. Sedis,  
deficientibus aliis sacerdotibus, clericos eiusdem loci animarum  
curae non addictos compellere possint, etiam poenis interminatis  
servatis de coetero servandis, ut diebus de praecepto, missam in  
Ecclesiis, quarum populo pateat aditus, celebrent.

6. Opportunum foret explicite declarare quod, stante ne-  
cessitate comprobata, nihil obstat quominus sacra sive in altera  
sive in eadem ecclesia, remoto tamen, si quod timeatur, simpli-  
cium scandalo, iterari possint et valeant.

7. Item declarari nulli sacerdoti licere missam iterare, vel  
in ipsis casibus urgentibus, si tempus suppetat ad Ordinarium  
recurrendi.

8. Item poenas praestatuere ipso facto incurrendas contra  
sacerdotes qui bis in die missam illegitime celebrare praesump-

serint, aut qui subreptitiis aut obreptitiis precibus ab Ordinario licentiam obtinere pertentant.

9. Item exoptandum videtur quod in posterum uni tantum S. C. Concilii (firmis remanentibus S. C. de Propaganda Fide iuribus) rescripta cuncta pro sacris iterandis committantur expedienda.

Em̃i Patres, quaestione sedulo maturoque perpensa, cunctis consideratis rescripserunt:

*‘Quoad quaestionem generalem fiant literae circulares iuxta mentem, et quoad quaestiones particulares iuxta votum consultoris.’*

### THE RUTHENIAN RITE IN NORTH AMERICA

#### LITTERAE APOSTOLICAE.

DE CONSTITUENDO RUTHENI RITUS EPISCOPO IN CIVITATIBUS  
FOEDERATIS AMERICA SEPTENTRIONALIS

#### PIUS EPISCOPUS

SERVUS SERVORUM DEI

AD PERPETUAM REI MEMORIAM.

Ea semper fuit Apostolicae Sedis peculiaris quaedam ac propria sollicitudo ut varii ac diversi, quibus exornata splendet catholica Ecclesia, diligenter custodirentur ritus, quemadmodum provisa plura et statuta a Decessoribus Nostis, in venerabiles maxime liturgias Orientalium Ecclesiarum perspicue declarant.

Iam illud Nobis enarratur, Ruthenos Catholicos, numero plurimos, ex Hungaria et Galicia in Civitates Foederatas Americae Septentrionalis migrasse, suaque ibi collocata sede, complura sibi comparasse templa, singularum Dioecesium probantibus Episcopis, iisdemque, ut par est, sacra eos potestate moderantibus. Dignam sane quae maximis extollatur laudibus, eorum caritatem Praesulum arbitramur, qui, summo studio miraue sollicitudine, catholicis dissimili ritu filiis praesto adhuc non desivere. His quidem Episcopis visum est, facilius posse Ruthenorum ritum adservari integrum et consentaneo decore administrari; posse etiam fideles Ruthenos, hoc tali accedente praesidio, efficacius contra pericula armari, quibus, schismaticorum civium opera, patent si Episcopus iisdem ritus rutheni detur. Nos autem eiusmodi amplexi sententiam rationumque, quas supra memoravimus, permoti momentis, id consilii suscepimus, Episcopum deligere ac nominare; qui potestate opportune instructus, illud enitatur et contendat ut ritus graecus

ruthenus, variis in missionibus Foederatorum Civitatum, incorrupte servetur.

Huius Episcopi munus quo aptius cum ordinaria iurisdictione Episcoporum cohaereat qui iis praesunt dioecesis ubi Ruthenorum sodalitates sitae sunt, quaedam Nos de sententia Venerabilium Fratrum Nostrorum Sacri Consilii Christiano Nomini propagando negotiisque orientalis ritus cognoscendis, statuenda, pro rei gravitate, censuimus, id certo rati, horum adiumento praescriptorum, nihil assequendis commodis obstiturum, animorumque concordiae, quae debet viros e sacro ordine populosque utriusque ritus coniungere, iri consultum.

## CAPUT I.

### DE EPISCOPO RUTHENI RITUS.

Art. I.—Nominatio Episcopi rutheni ritus pro Civitatibus Foederatis Americae Septentrionalis Apostolicae Sedi est omnino reservata.

Art. II.—Episcopus rutheni ritus sub immediata huius Apostolicae Sedis iurisdictione ac potestate est, ac sub vigilantia Delegati Apostolici Washingtoniensis. Iurisdictionem autem ordinariam nullam habet, sed tantummodo sibi delegandam a singulis Ordinariis in quorum dioecesi Rutheni commorantur. Eius officium est circa ritus rutheni integritatem vigilare, sacra olea pro Ruthenis conficere, ecclesias rutheni ritus dedicare, Confirmationem Ruthenis ministrare, pontificalia in ecclesiis Ruthenorum peragere, et, prehabitis in singulis casibus litteris dimissoriis Ordinarii loci, clericos rutheni ritus ordinare.

Art. III.—Salvo iure et officio Ordinarii loci, Episcopus rutheni ritus visitationem missionum ruthenarum inire poterit, prehabita in scriptis licentia eiusdem Ordinarii, qui illi conferet facultates quas concedendas iudicaverit.

Art. IV.—Episcopus rutheni ritus in visitatione rationes ab unoquoque rectore missionis exposcet administrationis bonorum missionis eiusdem, curabitque ne rector nomine atque iure proprio ea retineat, pro quorum acquisitione fideles quovis modo subsidia contulerint; simul autem operam dabit ut iuxta leges sive dioecesanarum, sive constitutas in III Plenario Concilio Baltimorensi, ea bona vel quamprimum transferantur sub nomine Ordinarii loci, vel alio tuto ac legali modo ab eodem Ordinario approbando firmiter adscripta sint et maneant favore missionis.

Art. V.—Peracta visitatione, Episcopus rutheni ritus certiorum faciet de statu morali et de economica administratione missionis visitatae Ordinarium loci, qui opportune, decernet quae ad bonum missionis in Domino expedire censuerit.



Art. VI.—*Controversiae, si quae exoriantur inter Episcopum rutheni ritus et Episcopos dioecesanos, deferantur, in devolutivo tantum, ad Delegatum Apostolicum Washingtoniensem, salva, item in devolutivo, Appellatione ad Apostolicam Sedem.*

Art. VII.—*Donec aliter ab Apostolica Sede decernatur ordinaria residentia Episcopi ritus rutheni erit in urbe Philadelphia.*

Art. VIII.—*Ad constituendam annuam stipem pro sustentatione Episcopi rutheni ritus, concurrere debent singulae ruthenae communitates, eidem solvendo annuam praestationem instar cathedratici, iuxta praxim et normas vigentes in dioecesibus Civitatum Foederatarum, in quibus Missiones ruthenae stabilitae inveniuntur.*

Art. IX.—*Episcopus rutheni ritus tertio quoque anno plenam et accuratam relationem de statu personali, morali ac materiali Missionum proprii ritus exhibeat Delegato Apostolico Washingtoniensi, qui eam transmittet ad Sacram Congregationem de Propaganda fide pro Negotiis Ritus Orientalis.*

## CAPUT II.

### DE CLERO RUTHENO.

Art. X.—*Cum nondum habeantur sacerdotes rutheni, qui vel nati vel saltem educati sint in Civitatibus Foederatis Americae; Episcopus rutheni ritus, praevia intelligentia cum Delegato Apostolico et Ordinario loci, omni studio curet, ut seminarium pro clericis ruthenis in iisdem Civitatibus Foederatis educandis quantocius instituat. Interim vero clerici rutheni in seminaria latina locorum in quibus nati sunt, vel domicilium acquisiverunt, admittantur. Sed nonnisi caelibes, sive nunc sive in posterum, ad sacros Ordines promoveri poterunt.*

Art. XI.—*Antequam habeatur numerus sufficiens presbyterorum, qui in Civitatibus Foederatis Americae educati fuerint, si providenda occurrat de suo rectore aliqua Missio Ruthenorum vel vacans vel noviter erecta, Ordinarius loci, audito, si ita existimaverit, Episcopo rutheni ritus, idoneum sacerdotem ruthenum illic iam morantem ipsi praeficiat. Si nullus idoneus in dioecesi habeatur, ipsum postulet ab alio Episcopo Civitatum Foederatarum. Si vero nullum inibi inveniatur de re certiore reddat S. Congregationem de Propaganda fide pro Negotiis Ritus Orientalis, cui curae erit providere.*

Art. XII.—*Sacerdos eligendus sit caelebs, vel saltem viduus et absque liberis, integer vitae, zelo ac pietate praeditus, satis eruditus, lucri non cupidus, et a politicis factionibus alienus.*

Art. XIII.—*Sacerdoti ex Europa vocato praedicta Sacra*

Congregatio tradet documentum, quo ipsi concedatur facultas se conferendi in Civitates Foederatas Americae ad assumendam spiritualem curam alicuius determinatae missionis ruthenae.

Art. XIV.—Presbyteris ruthenis in America commorantibus penitus interdicitur, ne baptizatos Sacro Chrismate consignent; et si secus fecerint, sciant se invalide egisse.

Art. XV.—Quilibet ruthenus sacerdos ex Europa proveniens et in Civitatibus Foederatis Americae commorans pro fidelium rutheni ritus spirituali cura, semper manebit incardinatus dioecesi originis; attamen Episcopus ruthenus originis iurisdictionem suam in eum nullimodo exercebit quoadusque ipse in Civitatibus Foederatis commorabitur. In patriam autem supra dicti sacerdotes redire nequeant absque expressa licentia Ordinarii Americani, in scriptis concedenda in cuius dioecesi sacrum ministerium exercent. Quod si de una in aliam dioecesim Civitatum Foederatarum se conferre cupiant requiritur consensus Episcopi *a quo et ad quem*, opportune facto certiore Episcopo rutheni ritus.

Art. XVI.—Laici rutheni candidati ad Ordines cuiuscumque originis et domicilii fuerint, illi dioecesi incardinati censeantur, a cuius ordinario acceptati fuerint, et pro qua emiserint iuramentum missionis seu stabilitatis ad inserviendum in dicta dioecesi, Ab ea autem dioecesi, in qua incardinati sunt, in aliam transire nequeant nisi prehabito consensu Ordinarii *a quo et ad quem*, ac opportune reddito certiore Episcopo rutheni ritus.

Art. XVII.—Omnes rectores missionum ruthenarum Civitatum Foederatarum sunt amovibiles ad nutum Ordinarii loci, opportune effecto certiore Episcopo rutheni ritus. Admoveri autem non poterunt absque causis gravibus et iustis.

Art. XVIII.—Datur tamen facultas presbytero amoto appellationem interponendi, in devolutivo.

Art. XIX.—Sustentationi sacerdotis providebit communitas ruthena iuxta praxim et normas dioeceseos, in cuius finibus communitas invenitur.

Art. XX.—Iura stolae et emolumenta sacri ministerii in singulis missionibus determinanda sunt ab Ordinario loci, iuxta consuetudines, locales, audito Episcopo rutheni ritus.

### CAPUT III.

#### DE FIDELIBUS RUTHENIS.

Art. XXI.—Fideles rutheni iis in locis in quibus nulla ecclesia nec sacerdos ritus eorum habeatur, ritui latino sese conformabunt; eisque eiusmodi facultas conceditur etiam ubi propter longinquitatem Ecclesiae suae non eam possint nisi

cum gravi incommodo adire quin tamen ex hoc ritus mutatio indicatur.

Art. XXII.—Laici rutheni, qui verum et stabile domicilium in Civitatibus Foederatis constituerint, transire possunt ad ritum latinum, obtenta tamen prius, in singulis casibus, venia Apostolicae Sedis.

Art. XXIII.—Si contingat ut hi quandoque in patriam revertantur, tunc etsi ex Pontificio rescripto ritum latinum susceperint, licebit eis Apostolica Sede exorata, ad pristinum ritum redire.

Art. XXIV.—Non licet Missionariis latinis sub poenis ab Apostolica Sede decernendis, quempiam Ruthenorum ad latinum ritum amplectendum inducere.

Art. XXV.—Fideles rutheni, etiam in locis in quibus adest presbyter rutheni ritus, apud Sacerdotem latinum ab Ordinario loci approbatum peccata sua confiteri, et beneficium sacramentalis absolutionis valide et licite obtinere possunt.

Sciant autem sacerdotes rutheni ritus, censuras et reservationes casuum in dioecesi, in qua ministerium exercent, sive vigentes sive ferendas, clerum etiam et populum eiusque rutheni ritus afficere.

Art. XXVI.—Ad vitanda gravia incommoda quae inde ruthenis evenire possent, facultas eis fit dies festos et ieiunia observandi iuxta consuetudinem locorum in quibus degunt. Attamen diebus dominicis et festis in utroque ritu in eandem diem incidentibus, sacrae liturgiae in ecclesia sui ritus, si in loco existat, Rutheni interesse tenentur.

#### CAPUT IV.

##### DE MATRIMONIIS INTER FIDELES MIXTI RITUS.

Art. XXVII.—Matrimonia inter catholicos ruthenos et latinos non prohibentur: sed maritus latinus uxoris ruthenae ritum non sequatur, nec uxor latina ritum mariti rutheni.

Art. XXVIII.—Si vero vir latinus in uxorem duxerit mulierem ruthenam, integrum erit mulieri ad ritum latinum, sive in actu matrimonii sive postea, durante matrimonio, transire, quin electionem semel factam, vivente viro, revocare possit.

Art. XXIX.—Soluta matrimonio, mulieri ruthenae quae ritum mariti amplexa fuerat, resumendi proprii ritus libera erit potestas.

Art. XXX.—Uxori ruthenae quae maluerit in proprio ritu permanere, licebit tamen in ieiuniis et festis suum maritum sequi.

Art. XXXI.—Vir ruthenus potest, si velit, ritum uxoris latinae sequi, eique pariter licebit in ieiuniis et festis ritui uxoris



latinae sese conformare. Soluta matrimonio, poterit in ritum latino permanere, vel ritum ruthenum resumere.

Art. XXXII.—Matrimonium inter virum latinum et ruthenam mulierem latine coram parcho latino contrahatur ; inter virum vero ruthenum et mulierem latinam contrahi potest vel ruthene coram parcho rutheno, vel latine coram parcho uxoris.

Art. XXXIII.—Si uterque contrahens in suo ritu permaneat, competit praesbyteris respectivi ritus officium parochi erga illos exercere in rebus quae hic recensentur, nempe : in communionis paschalis, viatici et extremae unctionis administratione, in adsistentia in mortis articulo, in exequiis persolvendis atque in humatione ; excepto necessitatis casu.

Art. XXXIV.—Nati in Civitatibus Foederatis Americae ex patre latino et matre ruthena, latino ritu sunt baptizandi ; proles enim sequi omnino debet patris ritum, si sit latinus.

Art. XXXV.—Si vero pater sit ruthenus et mater latina, liberum erit eidem patri, quod proles vel ritu rutheno baptizetur, vel etiam ritu latino, si in gratiam uxoris latinae ipse consenserit.

Art. XXXVI.—Infantes ad eius parochi iurisdictionem pertinent, cuius ritu sunt legitime baptizati, cum per Baptismum fiat suscepti ritus latini vel rutheni professio, ita ut ad latinum ritum spectent qui latino ritu baptizati sunt ; qui vero ritu rutheno sunt baptizati in Ruthenorum numero sint habendi.

Excipitur casus quando iis Baptismus alieno ritu collatus fuerit ob gravem necessitatem, cum nimirum morti proximi fuerint, vel in loco in quo parentes tempore nativitatis morabantur, parochus proprii ritus non adesset ; tunc enim ad parochum ritus, quem parentes profitentur, pertinebunt, iuxta superius statuta.

In charitate Christi, qua fideles omnium rituum peramanter complectimur, haec statuenda censuimus pro spirituali bono, animarumque salute fidelium ruthenorum in Foederatis Civitatibus Americae Septemtrionalis commorantium ; ac minime dubitamus quin ipsi Nostram hanc et Apostolicae Sedis erga eos sollicitudinem perfecta obedientia, imo et grato animo excipiant.

Praesentes Litteras et in eis contenta et statuta quaecumque, nulla unquam, licet privilegiata, ex causa colore et capite, nulloque unquam tempore de aliquo nullitatis vitio seu defectu in excogitato et substantiali notari, impugnari aut in controversiam et iudicium vocari posse ; sed tamquam ex Pontificiae Providentiae officio et Motu proprio, certa scientia, matura deliberatione, deque Nostrae Apostolicae Potestatis plenitudine editas, omnimoda firmitate perpetuo validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, atque ab omnibus, ad quos spectat et spectabit inviolabiliter

observari volumus et decernimus, sublata cuicumque, etiam Cardinalitia dignitate fulgenti, quavis aliter statuendi et interpretandi facultate; irritum quoque et inane decernentes quidquid in contrarium scienter vel ignoranter contigerit attentari.

Quocirca Venerabilem Fratrem Diomedem, Archiepiscopum titularem Larissensem, Nostrumque apud Episcopos Civitatum Foederatarum Americae Septentrionalis Delegatum, executorem praesentium Apostolica Auctoritate constituimus, ut ipse per se vel per alium virum ecclesiastica dignitate insignitum, ab eo subdelegandum, praesentes Nostras Litteras sollemniter publicet, ac omnia et singula in eis contenta a cunctis observanda curet. Eidem vero praecipimus ut singulorum actorum in praesentium evulgatione et executione exemplar authenticum intra sex menses ad hanc Apostolicam Sedem transmittat, illudque in Archivo S. Congregationis de Propaganda Fide pro negotiis Orientalis Ritus adservari mandamus. Non obstantibus Decessorum Nostrorum Constitutionibus et Ordinationibus, etiam in generalibus et provincialibus Conciliis editis, et quarumcumque Ecclesiarum, etiam Patriarchalium, seu Ordinum et Congregationum, iuramento et confirmatione Apostolica vel quavis alia firmitate roboratis, statutis et consuetudinibus, aliisque quibuslibet, etiam Motu proprio, in contrarium praemissorum concessis licet expressa mentione dignis; quibus omnibus perinde ac si verbo ad verbum his litteris inserta essent, ad praemissorum effectum specialiter et expresse derogamus et derogatum esse volumus, ceterisque in contrarium facientibus quibuscumque.

Harum vero transumptis etiam impressis, manu tamen alicuius Notarii publici subscriptis ac sigillo personae in ecclesiastica dignitate constitutae munitis, eandem ubique fidem haberi volumus, quae ipsis praesentibus habetur, si forent exhibitae vel ostensae.

Nulli ergo omnino hominum liceat hanc paginam Nostrae constitutionis, decreti, mandati, voluntatis, exemptionis, derogationis, indulti, infringere vel ei ausu temerario contraire. Si quis autem hoc attentare praesumpserit, indignationem Omnipotentis Dei ac Beatorum Petri et Pauli, Apostolorum eius, se noverit incursurum.

Datum Romae, apud Sanctum Petrum, Anno Incarnationis Dominicae millesimo nongentesimo septimo, decimo octavo calendas Iulias, die festo S. Basilii Magni, Pontificatus Nostri anno quarto.

A. Card. DI PIETRO *Pro-Dat.*

R. Card. MERRY DEL VAL, *Visa.*

De Curia I. DE AQUILA E VICECOMITIBUS.

Loco ✠ Plumbi.

*Reg. in Segret. Brevium. V. CUGNONIBUS.*

## NOTICES OF BOOKS

DER TABERNAKEL EINST UND JETZT. F. Raible. With Fourteen full-page photos and Fifty-three illustrations in the text. xxii. and 336 pages. Herder. 1908. Price, 6s. 6d.

This learned work on the history of the tabernacle in our churches, and on the liturgical prescriptions regarding the reservation of the Blessed Sacrament, derives considerable interest even from the personal history of the author. He was always remarkable for his devotion to the Sacrament of the Altar. In the Kulturkampf he was fined and imprisoned for saying Mass, and as after his release he did the same again, he was imprisoned a second time. Felix Raible subsequently became the parish priest of a villlage in the Black Forest, and there he devoted much of the remainder of his life to the composition of the present work. Finding that the little church of Glatt needed a new tabernacle, he set about procuring one that should be designed exactly according to the letter and spirit of the numerous ecclesiastical laws. With this object, which he ever kept in mind, he imposed on himself the arduous task of investigating what had been from the very beginning the legislation about the reservation of the Blessed Sacrament. And as he had also resolved that the tabernacle in his parish church should be artistically as perfect as he could make it, he studied the best examples of the different styles. The technical knowledge thus acquired, the thorough acquaintance with this part of the history of art in various centuries and countries, and above all his clear insight into the mind of the Church, enabled him to produce a book worthy of a priest. For him learning was only an insignificant means to the end which above all else he desired. The many valuable books on his favourite subject purchased, notwithstanding his small income, the continual intercourse with his friends Funk, Gühr, Kirsch, Baumstark, and many others, made it possible for him in the intervals of parochial duty to produce a work which would do credit to any of these savants; but his purpose was neither that of a professor in the class-room nor that of an author writing in a learned periodical.

His book will surprise the many who never thought that so much, and that so valuable and full of interest, could be written about the tabernacle. But F. Raible's devotion and



diligence overcame every difficulty in the way of research. From the sacramentaries, councils, fathers, liturgical writers, etc., he has brought together an amazing wealth of material. In so far as he had a literary work in view, his intention was to make known to his brother priests all that constitutes the ecclesiastical history and the art development of the tabernacle, but his ultimate aim was to enable them to prepare a dwelling-place for Jesus Christ in the sacrament of His love, and to supply them with matter for their sermons.

His excellent monograph will be welcome to all students of liturgy. It contains the regulations regarding the construction and use of the tabernacle, down to the most recent. Every decree is commented on, if necessary. From the list of authorities used throughout, it is plain that that everything has been done to ensure accuracy and completeness. But this is not all. The evidence from the apostolic age of belief in the Real Presence, the history of the *disciplina arcani* regarding it, the explanation of Eucharistic emblems, the description of the ancient tabernacles, etc., occupies the first part of the work. The next part is devoted to the history of the tabernacle in the Middle Ages. One of its most interesting sections is that on the widespread use of the tabernacle in the form of a dove. While it is not certain that in Tertullian's time this design existed, there is every reason to think that such was the case as early as the beginning of the fourth century. (See the dying words of Hermes, the deacon of Heraclea, in 304, quoted on page 134.) Dove-tabernacles became general in course of time, but as the author observes, all the earliest specimens have perished, and while museums contain many ivory pyxes of that period, most of the still existing 'dove-tabernacles' date from the twelfth to the fourteenth century, and none is older than the eleventh. It may be added that in the only church in Rome which has preserved the arrangement and details of the ancient *basilica*, i.e., St. Clement's, all that remains are a few links of the chain under the baldachino from which the 'dove-tabernacle' once hung. Many of our readers may have seen the silver dove similarly suspended over altars of the Greek rite, for instance, in San Atanasio and Grotta Ferrata, but to most of them it will probably be a surprise to read that in one church of the Latin rite, namely, Amiens Cathedral, the ancient custom still exists. Here, however, it is not for the purpose of Holy Communion but of exposition that the Blessed Sacrament is so kept. While magnificent tabernacles of this kind were at one time very common in France, so did many

churches in Germany glory in their tower-tabernacles. All visitors to Nürnberg will remember that

‘Pyx of sculpture rare,  
Rising with its sheafy fountains  
Fathoms high into the air.’

With the description of this and other medieval tower-tabernacles in Germany the second part ends. The third part deals with the origin and development of the ‘altar-tabernacle.’ The learned author has discovered that the earliest legislation, in fact the earliest mention, was made by the Council of Tours, A.D. 567. (See pages 228ff.) Here he sets Kraus right, and also corrects the common notion that altar-tabernacles were introduced by the Council of Trent. He next describes its gradual introduction and development from the artistic point of view, and explains what architects and artificers should know about tabernacles. What he says about early renaissance tabernacles, and in particular, about those of Florence by Della Robbia and Orcagna is most interesting. He does not give any examples from Spain or Portugal, but the numerous illustrations accompanied as they are by judicious remarks will be to many readers an acceptable souvenir of what they saw and admired in other parts of Europe. A priest about to repair an old tabernacle or to order a new one could have no better book on the subject than Raible’s. What the Church desires is accurately and clearly explained, in what is a work of learning no less than a work of love. Every page breathes the spirit of one who lived for the tabernacle and who dedicates the fruit of all his literary labours to the Priest-adorers of the Blessed Sacrament throughout the world. He died last year, and his epitaph as well as the motto of his work may well be: ‘I have loved, O Lord, the beauty of Thy house and the place where Thy glory dwelleth.’ Its publication at the present time, just before the Eucharist Congress in London, appears most opportune.

R. W.

TRACTATUS DE FONTIBUS REVELATIONIS, NECNON DE  
FIDE DIVINA. G. Van Noort. Amsterdam. 1908.

Ever since the Vatican Council spoke on Scripture and tradition and the nature of faith, theologians have devoted special attention to these subjects. Scheeben, Wilmers and a host of writers in Germany, Tanquerey, Gardeil, De Groot,

De San, Semeria and several others might be mentioned. The author of the treatise before us, a professor in Warmund Seminary, who is already favourably known on account of his *De Vera Religione*, *De Ecclesia*, etc., gives in compendious form an exposition of the three. His language is clear and suitable to students beginning theology. The work shows wide reading, and will serve as an introduction to the knowledge of many questions of the day. It can be cordially recommended to many, even besides beginners in theology. See, for instance, the analysis of faith and the description of the various problems connected with this interesting subject. Professors as well as those who read for the purpose of refreshing their knowledge of theology will here find some things to interest them.

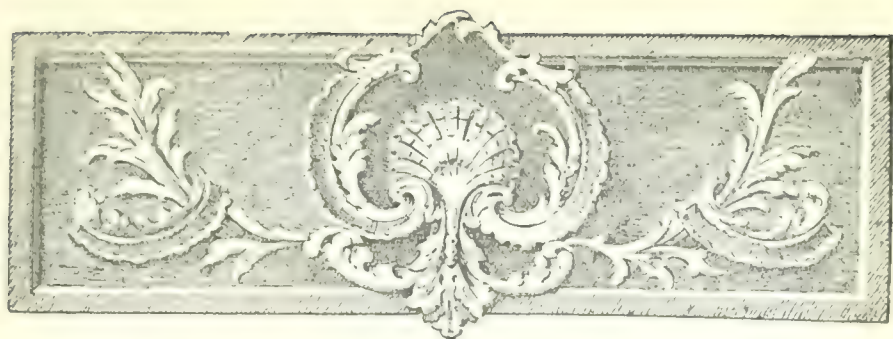
M. C. L.

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As so many of the clergy, ourselves included, are now on their holidays we reserve until next month the publication of the important 'Motu Proprio' of His Holiness, Pope Pius X, reforming the Roman Congregations, and removing Ireland amongst other countries from under the jurisdiction of Propaganda.

J. F. HOGAN, D.D.





## THE APOSTOLIC CONSTITUTION OF THE ROMAN 'CURIA'

**W**E publish this month the Apostolic Constitution by which His Holiness, Pope Pius X, has modified and reconstructed the Roman Congregations. This epoch-making charter will have deep and far-reaching effects in the principal English-speaking countries. It affects the whole world in many respects ; but to us it brings the greatest changes. Indeed it is not too much to say that the whole machinery of Church government at its source has been profoundly modified, rearranged and renewed. By this one act Pope Pius X has left an indelible mark on the constitution of the ruling bodies whose province it is to assist him in the government of the Universal Church. For a full account both of the changes and of the causes to which they are to be attributed I must refer the readers of I. E. RECORD to the document itself. Here I will merely mention the changes that directly affect ourselves.

### THE PROPAGANDA

Great Britain, Ireland, Holland, the Diocese of Luxemburg, the United States, Canada and Newfoundland are now permanently withdrawn from the jurisdiction of Propaganda and take their place under the common law, transacting their various business with the Congregation to which it belongs. And thus ends, as far as we are concerned, a connexion that goes back to the foundation

of Propaganda by Pope Gregory XV in 1622. During that long and eventful period the Congregation of Propaganda has watched over our religious interests with unflagging zeal and with a kindly and sympathetic interest which can never be forgotten. During dark and evil days, when heretics were rampant and cruel, the Sacred Congregation of Propaganda never failed to extend its protecting arm over our countrymen and to comfort and console them in the midst of their afflictions. Hence when the day of separation has come, the augury perhaps of a better future for Catholic Ireland, we can not allow the occasion to pass without paying our feeble tribute to the illustrious Congregation to which we owe so many favours, to whose wise and enlightened administration the Church of St. Patrick is so deeply indebted. The great and noble Cardinal who presides over that wonderful institution will be relieved of weighty responsibilities in order to leave him free to devote his time and zeal to lands more in need of his vigilance than ours. In him we greet the Congregation of Propaganda which has had so great a place in our history. From him and his officials we part with regret. In turning elsewhere for the transaction of official business we are not likely to forget the long years of our connexion. But Pius X has left us no option. His words are explicit :—

*Itaque a jurisdictione Congregationis de Propaganda Fide exemptas et ad jus commune deductas decernimus—in Europa—ecclesiasticas provincias Angliae, Scotiae, Hiberniae, et Hollandiae, ac dioecesim Luxemburgensem :—in America—provincias ecclesiasticas domini Canadensis, Terrae Novae et Foederatarum Civitatum, seu Statuum Unitorum. Negotia proinde quae ad haec loca referuntur tractanda in posterum non erunt penes Congregationem de Propaganda Fide, sed, pro varia eorumdem natura, penes Congregationes ceteras.*

If these important countries, however, are withdrawn from Propaganda others are given to it, viz., those Apostolic Missions and Vicariates which have hitherto been administered by the Congregation for Extraordinary Ecclesiastical Affairs.

## THE CONGREGATION OF THE CONSISTORY

The Congregation of the Consistory assumes new and great importance. To it is entrusted the election of bishops and their auxiliaries, and the regulations according to which in the different countries such selections are to be made. It is laid down, however, that in the case of dioceses outside of Italy all documents relating to the appointment of bishops, or the erection of a new diocese, or the division or rearrangement of old ones, should be sent to the department of the Cardinal Secretary of State, where the appointment or regulation will be made to be afterwards submitted to the Congregation of the Consistory. It is to this Congregation also the *Relatio Status* is to be sent by bishops for their diocese. It will have, moreover, the high judicial power of deciding which Congregation is competent to deal with individual cases whether contentious or otherwise.

## THE CONGREGATION OF THE HOLY OFFICE

The Congregation of the Holy Office will continue its high function as the guardian of faith and morals. It will continue to judge of heresy and all that appertains to heresy. Several of its former functions are transferred, however, to the Consistorial Congregation, the Congregation of the Council and to the Congregation of Religious Societies. And, even though there is a new Congregation of the Sacraments instituted, all that relates to the dogmatic side of the sacraments and to the exercise of the Pauline Privilege are reserved to the Holy Office.

## THE CONGREGATION OF THE SACRAMENTS

All legislation regarding the *discipline* of the sacraments is referred to this new Congregation with the exception of the special classes of cases referred to the Holy Office and to the Congregation of Rites. Thus in future all matrimonial dispensations, *sanationes in radice*, separa-



tion of parties, making offspring legitimate, dispensations regarding age of ordination and so forth must be addressed to this Congregation. Contentious cases in which judicial procedure has to be observed will be sent to the *Rota*.

#### THE CONGREGATION OF THE COUNCIL

The other Congregation which chiefly concerns us is the Congregation of the Council, which will regulate everything concerning the discipline of the secular clergy and of the Christian people in general. It will see to the observance of the Precepts of the Church, decide as to the rights and privileges of parish priests, canons, pious sodalities, and will regulate stipends for Masses and other Church contributions. It will also control the holding of councils, synods, conferences and ecclesiastical or Church assemblies of all kinds.

#### OTHER CONGREGATIONS

The Congregation of Religious Affairs will have the management and supervision of religious orders, congregations and communities, whether of solemn or simple vows, and will take cognizance of all that concerns the religious life, statutes of religious orders, authorization of new ones, etc., etc. The Congregation of Rites will continue with some slight modifications to discharge its former functions, as will also the Congregation of the Index whose *powers* and duties are somewhat extended. A natural system of communication and consultation is also established between this Congregation and the 'Holy Office.'

#### THE TRIBUNALS

The greatest change, perhaps, introduced by the new Constitution is that which establishes the two great courts of the *Rota* and the *Signatura* for contentious cases. The Sacred Penitentiary will continue to deal with the *forum internum*, but the *Rota* will judge all contentious cases

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which are *non majores* in the first instance. The court of Appeal and the court for cases of special importance will be the *Signatura*.

In order to make things clear I think it better to confine myself to these explanations for the present. I will print in a subsequent number of the I. E. RECORD the special laws applicable to these tribunals.

These changes will take effect after the Autumn holidays—that is to say, from the 3rd of November, 1908. It is needless to add that greater care than ever should now be taken as to the form of applications, language, paper, etc., as applications not in due form are sure to give rise to trouble.

J. F. HOGAN, D.D.

## THE ORIGIN OF MORALITY

IN an essay on the 'Origin of Religion,' which appeared in a former number of the I. E. RECORD, I remarked that I should consider it superfluous to treat the Evolution of Morality as a separate subject. I have, however, been tempted to study the question of Ethical Evolution as set forth by the host of writers who find in evolution the explanation of everything that comes under the cognizance of man.

I know not any subject with a much more extensive literature, nor have I read any literature so thoroughly disappointing. I do not complain that the doctrines do not fit in with my own conclusions and my own beliefs; it is the method I object to. You may read through a whole library of works on man as a social animal, and everywhere you find the same calm assumption of the problem on the solution of which the whole history of man as a member of society turns. That problem is: How did the race begin? Did man begin his life on earth in a state of comparative civilization at least, from which he proceeded upwards and downwards—the degeneration theory; or did he start life as described by Darwin 'a tailed quadruped probably arboreal in his habits'—the progressive hypothesis?

### GENERAL ASPECT OF THE QUESTION

The possibility of degeneration being the cause of the low condition of certain races known to history is quietly put on one side by evolutionists, and the alternative hypothesis accepted as an indisputable fact. Mr. Starcke, a man with an extensive knowledge of his subject, writing in the 'International Scientific Series,' says:—

It appears to me unnecessary to show how far this theory (degeneration) is from agreeing with the facts of archæology, and I am content to show that the degeneration theory is now



beginning to appear unsatisfactory under the pressure of time. Mr. Fison, an Australian missionary, frankly declares that he does not see why the degeneration theory should be regarded as an orthodox necessity. Adam appears to him to have resembled the Australians.<sup>1</sup>

And because Mr. Fison 'frankly declares' and because 'Adam appears to him' in a certain light, therefore Mr. Starcke accepts as proved a hypothesis he has just assumed. On the preceding page he says: 'We have first to assume the rude primitive origin of such a community.' And he takes the assumption 'to be now indisputable . . . indeed it is generally accepted.' He should have added 'within a well-defined circle of writers.' The Duke of Argyll, a competent enough authority on matters of this kind, sums up the whole case for ethnology in the short sentence, 'Man has kept no journal of his early life.' Yet one would almost imagine that certain evolutionary writers had personally perused a diary filled in every night by early man before he retired to rest.

Economic writers [says Argyll] have been prone to speak of 'primitive' conditions of humanity, forgetting that at least as regards those, which were really primitive in the literal sense, we are absolutely ignorant. . . . We cannot too constantly remember that every one of the foundation stones of civilized society had been laid long before history was born and nothing observed within our own time enables us with any certainty to clear up the mystery which surrounds the first beginnings of our race.<sup>2</sup>

Since these words were written up to the present moment science has not advanced a single step in dispelling the mists that surround the beginnings of the race. Yet still we find the same assumptions made, the same hypothesis formed, and on them theories of man and soul and God built up, to which we must pin our faith but on no account must we give a moment's serious

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<sup>1</sup> If this be the Lorimer Fison referred to by H. Bosanquet in *The Family*, pp. 28-29, I think he can scarcely be congratulated on the accuracy of his observations.

<sup>2</sup> *Unseen Foundations of Society*, pp. 98-101.

consideration to the creation narrative of the Book of God. The surprising thing about it all is, that the better balanced minds of this school of writers invariably approach their subject by presuming that the evolutionary theory is still only a theory, merely a hypothesis by no means established; yet we have not read through the first chapter when we find that the hypothetical aspect of the question has receded from view and doubt has given way to dogma. Mr. Henry Drummond, whose work *The Ascent of Man*, entitles him to the first rank of evolutionary writers, tells us in the introduction that 'the thread which binds the facts (of the science of man) is, it is true, but a hypothesis. As a theory, nevertheless, with which at present all scientific work is being done, it is assumed on every page that follows.' On the following page we are told that 'it is a study in embryos, in rudiments, in installations; the scene is the primeval forest, the date, the world's dawn.' Notwithstanding the vast distance of the scene and the extreme remoteness of the date we are informed on page 3, that 'the day is for ever past when science need apologize for treating man as an object of natural research.'<sup>1</sup> With the primeval forest as the scene of the drama and the world's dawn for its date, I am not at all sure that science should not apologize for working out the *denouement* at the expense of the higher nature of the principal character. If scientists who try to persuade themselves and their readers that man is dominated entirely and solely by the same gravitational law which ruled the cosmos from the primitive nebula, would read carefully through Father Maher's *Psychology*, they might perhaps pause before treating man as an object of natural research without any apology. 'Hamlet's being "of large discourse looking before and after" is withal a part of nature.'<sup>2</sup> And what is the meaning of nature? Let us hear an independent authority. 'In the language of the Stoa,' Huxley tells us, 'nature was a word of many meanings. There was the "nature" of the cosmos and the "nature"

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<sup>1</sup> *The Ascent of Man*.<sup>2</sup> *Ibid.*

of man. In the latter, the animal "nature" which man shares with a moiety of the living part of the cosmos, was distinguished from a higher "nature." Even in this higher nature there were grades of rank.<sup>1</sup> The same is true still. When, therefore, we are told that man is withal a part of nature, the meaning must be that the rational element in the human being is to be ignored, that man accordingly is to be classed with the moiety of the living part of the cosmos, which, according to evolution, is but a degree removed from the rest of the cosmos. And so, the being of 'large discourse looking before and after,' the Augustines and Thomases and Newtons and Marconis and Daltons and Schwanns and Curies differ only accidentally from their weight in wood or lifeless clay. I again commend Father Maher's work, this time with a strong appeal to ordinary common sense.

In one of his finest passages, Mr. Drummond<sup>2</sup> takes us on an imaginary cruise through the islands of the Pacific by North Queensland to the Sandwich Islands. As we sail leisurely along we see savagery in its lowest forms, then the dawn, and later the advance of civilization. We begin our cruise in the Malay Archipelago or in the Coral seas of the Southern Pacific. There we find spots where the white man's foot never trod, islands whose inhabitants have worked out their destiny for untold centuries, whose teeming populations have no names and whose habits are known only through a ship's telescope. As we coast along we see 'the dusky figures steal like shades among the trees or hurry past in their bark canoes or crouch in fear on the coral strand.' Passing on we land on the coast of Northern Queensland, and penetrate the Australian Bush. There we find the child of nature still untouched, 'aboriginal peoples who know neither house nor home, who neither sow nor reap.' Next we visit the New Hebrides, Tanno and Santo, and Ambrym, and Aurora, where we make the acquaintance of the people whom Captain Cook, about a

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<sup>1</sup> *Evolution and Ethics*, p. 26.

<sup>2</sup> *The Ascent of Man*, pp. 181 et seqq.



hundred years ago, presented with a few nails. And 'they planted them in the ground that they might grow into bigger nails.' Passing through the other cannibal islands we find no advance from the primitive state except in the improvement of weapons and the construction of a hut. In the Solomon Group and New Guinea carving and painting are seen in an early infancy. But when we reach the Sandwich Islands the contrast comes out in its full significance. Here Captain Cook was killed and eaten about a century ago. To-day the children of the murderer have their kings and queens who demand acknowledgment at modern courts. The cruise ends. We are expected, I take it, to make the remainder of the return journey overland observing on the way the gradual rise in civilization till having emarked at Ostend or Calais we again reach British soil where culture is in the zenith.

We feel grateful to Mr. Drummond for his delightful cruise. Might we ask him to accompany us on an excursion in the opposite direction? It will suit the convenience of all parties to sail from Glasgow. We leave behind the busy city's crowded thoroughfares, its gay ballrooms and brilliant theatres, its palatial residences and luxurious hotels, its motor cars, electric trams, telegraph and telephone. On the continent we find civilization still more advanced. But let us hurry on to India, and observe there the progress civilization has made since the days of Siraj-ud-Dowla. Our western philanthropy could brook no delay in modernizing those savage or barbarian hordes the records of whose high-class culture reach back to a date thousands of years before the Saxon set foot in Britain. Western philanthropy succeeded. Famine, fire and sword decimated the population and emaciated the remnant. The people who romped about in perpetual holiday every day and all day long are now, but for a flickering ray of hope here and there, settled down in dark despair. Barren, arid ridges and plains scorched by the burning heat of a tropical sun meet the eye where once harvest teemed with luxuriant crops by the Brahmaputra, the Indus, and the Ganges. We pass on. Warned by the fate of Captain

Cook we sail past the Cannibal Islands merely noting this fact, that *culture is disappearing as we proceed southward*. We land on Australian soil, and at once western civilization is again in evidence. The ethical development of our advanced culture forced us to drive savagery out of the *dusky devil* of the Australian bush by driving his race out of existence. The few that remain, however, are interesting, for they show a more backward condition than any of the peoples we yet visited. The same low state of savagery obtains on the islands of the Southern Pacific whose primitive inhabitants are scarcely recognizable as human.

On the return journey it will be instructive, if we have a turn for ethnology, to travel north over the western continent. Two races, the black and the red, will afford us food for reflection. The black of the Southern States, though emancipated as a result of the Civil War of 1862-65, is still in a state not much removed from his former one. In some of the fifteen States comprising what is known as the Black Belt, the black race outnumbers the white. Yet in all the black man is the outcast of white society. Though theoretically the white man's equal, he will not be admitted to social equality on any terms. Even where he possesses a voting majority he will not be allowed to exercise that political power which is his right in theory. He is still subordinate, the white race rules as effectively as it did in the days of slavery.<sup>1</sup>

The red race furnishes a subject for instructive study. In 1492 the red man first came in contact with European civilization. What has been his progress since? Europe's sturdy sons have driven him back from the woods that sheltered him for untold centuries; they have levelled his forests and planted their civilization on the clearings. And to-day the Indian is in a state scarcely, if at all, advanced beyond the alleged primitive starting point which is hidden in the dim and distant background behind the world's oldest traditions. Nay, for any capacity for development which he exhibits the American Red Indian

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<sup>1</sup> Vide Laird Clowes, *Black America*, pp. 8, 87.

may not have advanced one degree since the western world rose from its ocean bed. There is, however, one change in his race. The many millions who wandered at will over a vast continent, free as the air and happy as the gods, who clubbed or speared their game and sang their wild songs by forest and mountain and glen, are now a few thousand, for the most part, starved, miserable wretches dragging out a pitiful existence by the shores of the Northern Lakes. The same advance of civilization which is exterminating the Maori in New Zealand and the aboriginal in Australia is executing its work of destruction among the red race of North America.

Now traversing the globe in the manner indicated, we observe two very striking facts. One is the degradation of man from his state in European society down to his abject condition in the islands of the Southern Seas; the other, that savages are not being civilized but exterminated for the aggrandisement of our much-lauded western civilization. 'Waiving individual cases,' writes Mr. Drummond, where 'nations have fallen from a higher intellectual level the proof indicates a rising potentiality and widening of range as we pass from primitive to civilized states.'<sup>1</sup> Without waiving cases where savages have civilized themselves, for none such exist, or where cultured states have brought them up to their own level, for such a thing was never done, the proof indicates a *lessening* potentiality and *narrowing* of range as we pass from civilized to what are called primitive states. Evolutionists look up the scale of humanity, and if we prefer to look down how do they show that our view-point is incorrect? You tell me that the savage state is the primitive one, that man began life as 'a tailed quadruped probably arboreal in his habits.' But where is the proof? You appeal to evolution, which has ruled the rest of the universe. Remember, however, that on your own admission your evolution is only a theory, a mere hypothesis, which has not nearly been established. And even if cosmic evolution or the evolution of species was placed

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<sup>1</sup> *Ascent of Man*, p. 185.



beyond the region of all reasonable doubt, it can never explain the spiritual side of human nature. Then you appeal to the existence of savagery now and in the past. I appeal to civilization present and past, and refer you to any of the current works on ancient Babylonian, Indian, and Chinese civilization, compared with which our Old World is as new as that discovered yesterday by Columbus. Here is the testimony of a professed evolutionist :—

Along the shores of the Indian Ocean and the Levant, stretching from the Persian gulf into the fertile valleys of the Euphrates and the Tigris, are still found sects of civilization co-existent with the earliest dawn of man's history.<sup>1</sup>

The civilization of ancient Egypt is summarily dealt with by Mr. Drummond :—

That Egypt has fallen from a great height [he says] is certain ; but the real problem is, how it got to that height. When a boy's kite descends in our garden we do not assume that it came down from the clouds. That it went up before it came down is obvious from all we know of kite-making. And that nations went up before they came down is obvious from all we know of nation-making.<sup>2</sup>

Now these kite-flying arguments are just a little too much in evidence in this department of literature. The action of the kite, it must be admitted, does not help us much in solving the difficulty of the origin of society. And it is by no means obvious that nations went up from savagery before they came down. But it is obvious that no race ever yet did go up from savagery *sua sponte*. It might possibly be brought up, but there is no evidence that any savage race ever developed civilization from within, while the evidence comes from all parts of the world that races have relapsed, decayed, and, in many cases, became extinct. Between progress and relapse, between primitive civilization and primitive savagery science is unable to give a verdict though the evidence is in favour of primitive civilization ; and scientific men are just a little too previous

<sup>1</sup> D. Wilson, *Prehistoric Man*, p. 11.

<sup>2</sup> *Ibid.*, p. 176.

in assuming that the whole cause is settled in favour of primitive savagery and evolution.

I wish to have this point unequivocally, clearly, and distinctly borne in mind that science has not proved, and cannot prove that *homo rationalis* began his life on this planet as a savage in the ordinary acceptation of that term.

So much for the general aspect of the question. Let us now look a little more closely at the method by which evolution originates the world's morality.

#### THE STRUGGLE FOR LIFE

The main idea running through *The Data of Ethics* is that the ethical question is but part of the general problem of cosmical evolution. The author conceives that all knowledge is capable of unification, and therefore reasons that as ethics deals with purposed conduct, and as this is part of conduct in general, which in turn is only cosmical causation, having understood the general process we understand this particular phase of it.

It may be considered unfair to dispose of a system such as *The Data of Ethics* presents, in a sentence or two, but it is impossible in a short essay like the present to go into detailed criticism.

Though there is a difficulty in understanding what position exactly Mr. Spencer takes up, the foundation of his system seems to be this. Life is 'the continuous adjustment of inner relations to outer relations.' As the adaptations to environment increase, there is a proportionate increase in life. What promotes these adaptations and consequently tends to the proportion of the physical organism produces pleasure; what makes for the destruction of the organism causes pain. Pleasure and pain then become motives. What gives pleasure to the organism is good; what gives pain is bad. And the biologically good is right ethical conduct, the biologically bad, wrong ethical conduct. Such, as I understand it, is the origin of morality taught by *The Data of Ethics*. According to the Spencerian

ethics, therefore, it is morally good for the sun to pump our water from the lakes and oceans, for the cold to condense the atmospheric vapours that they may fall in rain, for the big fish to eat the small, for the American white race to exterminate the red, for millionaire monopolists to starve their fellow-beings to death, because all these promote the life and well-being of the individual. And this be ethics!

Taken in the only intelligible sense in which it can possibly be understood, ethically good conduct is in nearly every way opposed to the course which will ensure success in the cosmic struggle for existence. The truth is, biology is no more ethics than gunpowder is the British army. We are not now concerned with the further development of this theory where mind, sympathy, and altruism come into play. We shall have something to say on this phase of the problem afterwards. For the present let it suffice to note that the leading writer on evolutionary morality is prepared to regard the action of the jelly-fish in feeding itself and the action of the seal in consuming the mackerel as *ethically* good.

If this be ethics it should not be a difficult task to excogitate a system of morality for primitive man when he begins 'to toil up the long slope which brings him within the purview of history.'<sup>1</sup> But, after all, considering the abject condition of the hypothetical primitive savage, the tailed quadruped swinging himself from branch to branch in the sunshine, or crouching in some hollow or cavern during the storm, it is extremely difficult to see how or why he would originate morality when we attach an intelligible meaning to that term.

Reasoning *a posteriori* from what we know of our own individual selves and of our fellow-men, it does seem a Herculean task for the primitive savage to originate the Gospel counsels. 'If each of us,' writes Mr. Kidd, 'were allowed by the conditions of life to follow his own inclination the average of one generation would have no tendency

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<sup>1</sup> Drummond.



whatever to rise beyond the average of the preceding, but distinctly the reverse.<sup>1</sup> If this is true to-day, it should certainly hold true in the primeval forest. How, then, was progress possible? The motive power urging man onward and upward is to be found not in any choice of his own, but in the irresistible law to which he, with the rest of the universe, is subject. 'It is an inevitable law of life amongst the higher forms, that competition and selection must not only always accompany progress, but that they must prevail amongst every form of life which is not actually retrograding.'<sup>2</sup> In that last clause, I think Mr. Kidd has hardly succeeded in saying what he wished to say.

But granted that this inexorable law does really exist, whence comes it? Evolution answers from Nature, that competition, selection, and rejection are of the very nature of things. If anyone can satisfy himself that this is a *ratio sufficiens* for this all-important law of progress, I can only remark that to my mind the answer suggests no meaning whatsoever, except that it shifts the question from the forefront to the background. Mr. Kidd gives us some further information on the point: 'No form can advance or even retain its place without deterioration except by carrying on the process to a greater extent from individuals above the average than from those below it.'<sup>3</sup> Now what can be the meaning of that passage? Unfortunately exponents of evolution only too often make use of language which is merely sound signifying nothing. A form cannot advance or retain its place *without deterioration!* Can anything advance with deterioration, or if it deteriorates how can it retain its place? Then we are told that it can do neither unless by selecting from individuals above the average. And how, pray, did the individuals get above the average if, according to this very law, in order to get forms above the average it is necessary to select from ones above that level? Here, surely, we have an

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<sup>1</sup> Benjamin Kidd, *Social Evolution*, p. 34.

<sup>2</sup> *Ibid.* p. 37.

<sup>3</sup> *Ibid.* p. 61.

infinite regress. I am not aware that the difficulty here involved has been solved by an evolutionist.

Now let us face the question squarely at once: Can the struggle for life, no matter in what way it operates, furnish any basis for morality?

I really cannot understand how men living in this world can be so blind, if indeed they are blind, to the shortcomings and particularly to the selfishness of human nature, as to suppose that the struggle for life would not take the very opposite course to that which evolution postulates. We must close our eyes tightly against the most patent facts on the surface of present-day society if we wish to uphold the gladiatorial theory of the origin of morality. For if we look around us any day, or any moment of the day, we see the theory openly and unreservedly contradicted. Beyond there I see large exhibits of dry goods, groceries, fruit, etc., around the doors of the big stores and invariably an officer in uniform pacing up and down in front to keep the public from stealing these goods. Almost every street has its policeman, his baton by his side for the protection of human property and human life. On every vantage ground throughout the British Empire are mounted cannon and trained soldiers for the avowed purpose of destroying human life. After reading altruistic literature breathing the spirit of *Locksley Hall* and looking forward hopefully to the time

When the kindly earth shall slumber lapt in universal law, we look around and behold the nations still 'snarling at each others heels,' and the whole civilized world under arms. The struggle for individual life is even now a paramount factor in human affairs; and we shall never reconcile the covetousness, cunning, treachery, envy, and jealousy of ordinary humanity with the noble spirit which, evolution says, raised the primitive savage above his surroundings and inspired him with the high ideal of altruistic ethics. When I go down those back streets and alleys over there, and see the masses of humanity huddled together in dirt and poverty, held in check only by terror of

the law or the supernatural influence of religion when the wolf is growling at the door, and the children crying in vain for bread, I become more and more convinced that the literature of evolutionary morality must have been written in comfortable studies while the imagination ranged at large over some new heavens and new earth with which we are totally unacquainted. A peep here and there into our slums makes it evident to the most casual observer that morality is preserved solely by the fear of the law or the fear of God. Nor will you find any altruism except what is borrowed from revealed religion. And the slums are not, I believe, one whit worse than Society with a capital S. To tell the truth, I believe they are much better, with just this difference, that they have not yet developed the sagacity which, under an outward show, cloaks the corruption within, and are still unaffected by the social conventions which parade vices as moral virtues. 'Whether honesty is the best policy or not,' says Lecky, 'depends on the efficiency of the police.' And if this is true at the present stage of evolution with our universal education and literature, progressive governments and preachers of religion at every street corner, what shall we say of the supposed primitive man who as yet does not know what morality means, and who has no guide and no check except the law of evolution? The solemn fact is, that human selfishness, man's struggle for life and the high ideals of ethics are, and have been, inherently and eternally irreconcilable.

It was a just appreciation of present-day society that led Mr. Kidd, after Mr. Huxley, to despair of ever finding in evolution a sufficient guarantee for the stability of the moral order. The pity is that the brilliant writer, whose work is regarded by evolutionists as of great and lasting value, should have wasted his genius on a cause so hopeless. 'The central fact with which we are confronted in our progressive societies is that the interests of the social organism and those of the individuals comprising it at any time are actually antagonistic; they can never be recon-



ciled; they are inherently and essentially irreconcilable.<sup>1</sup> This phase of the social question haunts the writer through every page of his work. The dilemma to which his theory inevitably leads, is very present to his mind. In fact, society present and past flatly contradicts the evolutionary theory.

The process [says the author] which is proceeding in human society is always progressively developing two inherently antagonistic tendencies, namely, the tendency requiring the increasing subordination of the individual to society, and the rationalistic tendency leading the individual at the same time to question with increasing insistence the authority of the claims requiring him to submit to a process of social order in which he has absolutely no interest and which is operating largely in the interests of unborn generations.<sup>2</sup>

And so Kidd shares in Huxley's despair of finding in the struggle for life any sanction for morality. 'Whatever difference of opinion,' says Huxley, 'may exist among experts, there is a general consensus that the ape and tiger methods of the struggle for existence are not reconcilable with sound ethical principles.'<sup>3</sup> Indeed it is extremely difficult to see how morality could be retained, or at all originated in conditions of life where, in the words of Hobbes, force and fraud are the cardinal virtues. We are compelled, therefore, to look with Kidd beyond nature to the supernatural, operating through religion, to harmonize the conflicting tendencies and to reconcile the antagonistic forces.

#### THE STRUGGLE FOR THE LIFE OF OTHERS

Evolutionary writers in general, and the two just referred to in particular, are severely taken to task by Mr. Drummond for their one-sided view of nature. The missing factor which spans the gulf over which evolutionists had, for a long time, been gazing in despair was discovered

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<sup>1</sup> Kidd, *Social Evolution*, p. 78.

<sup>2</sup> *Ibid.*, p. 239.

<sup>3</sup> *Evolution and Ethics*, p. 7.

by Mr. Drummond in the struggle for the life of others. He strenuously objects to the half-hearted treatment of evolution which is satisfied with the struggle for life. It is only when both the struggle for life and the struggle for the life of others are kept in view that any scientific theory of evolution is possible. 'Combine them, contrast them, assign each its place, allow for their inter-actions and the scheme of nature may be worked out to the last detail. . . . The struggle for the life of others is no interpolation at the end of the process, but radical, ingrained in the world order as profoundly as the struggle for life.<sup>1</sup> The struggle for life means practically the weaker to the wall. When the struggle for the life of others appears on the scene it would be interesting to see the scheme worked out to 'the last detail.' We have here two antagonistic forces. Could they ever work out that Utopia towards which, we are assured, the present cosmos is rapidly evolving? The struggle for life entails ceaseless turmoil; and when the struggle for the life of others is introduced, we are met with 'confusion worse confounded.' With opposing forces of this kind in the field we might expect a condition of things,

Where eldest night  
And chaos, ancestors of nature, hold  
Eternal anarchy, amidst the noise  
Of endless wars and by confusion stand,

but never that ideal state which the late Laureate describes,

One God, one law, one element,  
And one far-off divine event  
To which the whole creation moves.

This theory of evolution which includes the struggle for the life of others is developed at great length by Mr. Drummond. He finds this 'otherism' operating throughout the whole world of life, from the humblest unicellular organism up to the complex mechanism of the full grown 'paragon of animals.' One example or two will suffice.

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<sup>1</sup> *The Ascent of Man*, pp. 24, 38.

The simple cell, grown to a certain size, divides into two, each with an independent life. The reason for this is found in the need for fresh food. Food is introduced into the cell by imbibition or osmosis through the surrounding wall. But while the bulk of the cell increases as the cube of the diameter, the surface increase only as the square. Consequently there is not sufficient surface to pass in the required food ; and the cell must divide or die. It divides, and its action is pronounced *self-sacrifice*. ' By giving up its life as an individual it has brought forth two individuals, and these will one day repeat the surrender . . . the first great act of the moral life.'<sup>1</sup> Here, then, is a simple explanation of a phenomenon the Schoolmen laboured in vain to understand—St. Thomas himself gives but an unsatisfactory solution of this multiplication-of-life problem. But evolution says : One life is given up, two are brought forth, the process is self-sacrifice, and there is an end to the question. And everywhere the same self-sacrifice is to be met with. Watch a little flower, and you will find that it does not struggle for life, but that it lays down its life. No one reverences the flower like the biologist. ' He sees in its bloom the blush of the young mother ; in its fading the eternal sacrifice of Maternity.'<sup>2</sup> It is intensely pathetic to watch Mr. Drummond, with moistened eye-lids, bending over the death-bed of this young mother, and from the fullness of his heart thanking Nature for having nerved her for the ordeal, that by the sacrifice of her life the world might be enriched with a cluster of seeds hidden within her withered petals. This may be poetry ; it can scarcely claim to be sound philosophy. These life-surrenders of cells, self-sacrificers of flowers and the rest would be appropriate enough in the mouth of Wordsworth, but when a Drummond undertakes to write in strong, masculine prose on the most serious question that affects humanity it would be preferable to leave poetry to the poets. And how can these actions be called moral ? We may call them moral if we wish ; but if we do we leave our-

<sup>1</sup> *The Ascent of Man*, p. 289.

<sup>2</sup> *Ibid.* p. 292.



selves open to the charge of using language which is absolutely meaningless. There is no morality in the vegetable world or in the animal kingdom. Even the highest of the lower animals have no ethics; they are wholly incapable of a moral act. Their actions are at best instructive, but to call them moral is to make use of language which nobody understands.

Space will not allow us to follow out Mr. Drummond's very ingenious method by which the long tedious task of evolving a human mother was unsuccessfully accomplished. Indeed we find our patience severely taxed in at all seriously considering the so-called philosophy of evolutionary ethics. When you find Nature or Evolution, with capital letters, 'wishing,' 'setting about,' 'undertaking,' saying 'let us make' or 'do' so and so, with a frequent 'might it not be,' 'may we not suppose,' etc., thrown in, you require no ordinary exercise of patience if you are to continue. And such is the language of all evolutionary literature since the publication of *The Origin of Species*.

When nature succeeded in producing a mother, she then turned her attention to the more serious task of evolving a father. The difficulty was to get the husband to remain at home. With the old wild blood in his veins he would be off, ranging the woods in search of an encounter with the beasts—his favourite pastime. How was nature to reform this vagrant? Only evolution could have found a means. One day a little child drew forth from its mother's heart the first fresh bud of love, which was destined, in the hands of evolution, to increase and spread and sanctify the world. 'Later, long later, through the same tiny and unconscious intermediary, the father's soul was touched. And one day, in the love of a little child, father and mother met.'<sup>1</sup> The first family circle is formed.

Now, sacred as that little family ceremony appears in the pathetic words of Mr. Drummond, I am impious enough to deny that it was ever a reality. There is not the faintest shadow of proof for any such theory of a primitive.

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<sup>1</sup> *The Ascent of Man*, p. 392.

family. There is not a single primitive people in all the world whose condition in any way supports it. The theory evidently assumes that promiscuity of husbands and wives, so unreservedly accepted, notably by Mr. Spencer in his *Principles of Sociology*, was the original condition of the race. But all the evidence now points to a monogamous condition of the primitive peoples. Professor Howard writes: 'It is by no means established that communal or even group-marriage has ever prevailed among the Australian aborigines,' the lowest types of humanity.<sup>1</sup> And H. Bosanquet states that 'this firmly-welded single family is in no sense a late attainment of civilization, but it exists even at the lowest stage of culture, as a rule without exception.'<sup>2</sup> In the same way, the theory, once popular, and to which Mr. Drummond's own theory points, that the matriarchate and not the patriarchate was the original form of the family is now exploded. It is found that, with one or two possible exceptions—the Hurons and Iroquois of North America whom Grosse regards as 'the rarest curiosities of ethnology'—'there seems to be no sufficient ground for the theory that the patriarchal was preceded by the matriarchal family. So far as we can see, what really preceded it was a less highly organized form of patriarchal family, sometimes, though not always, co-existing with a system of relationship through the mothers.'<sup>3</sup> If, as far as we can see, the family, firmly welded together with the father as head always existed amongst human beings, it is somewhat difficult to work in the evolutionary theory. 'Evolution takes nothing for granted,' Mr. Drummond tells us,<sup>4</sup> and we all know the horror science has of dogma, even where the evidence is clear and explicit. Now let science face the situation fairly. The situation is this: There is not a shred of proof that man began his existence on this planet as a savage; and there is just as little proof for the theory that human beings did not live

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<sup>1</sup> *History of Matrimonial Institutions*, p. 70.

<sup>2</sup> *The Family*, p. 46.

<sup>3</sup> *Ibid.*, p. 35.

<sup>4</sup> *Ibid.*, p. 377.

together in families since the first appearance on earth of the best developed monkey evolution has been able to produce.

There is an old theory that man first appeared in a garden of delights ; that though expelled from his original abode God preserved and protected in a very special way the direct line from Adam to the Messiah ; and that the rest of the peoples went to the right and the left, some of them progressing, some degenerating. Science has not, in the remotest degree, shaken my belief in that theory.

When the primitive husband was induced to abandon the error of his ways and stay at home to take care of his wife and children, evolution again set to work to establish definitely a code of morality. As head of the family it was incumbent on the father to make laws for the guidance of his household. On account of the sternness and severity of the ruler, the children would be compelled by fear to obey him in all things. What gained his favour would be looked upon as 'good,' what called forth his ire would be regarded as 'bad.' Here at last evolution has succeeded in placing morality on a sure and lasting basis.

I have no quarrel with evolutionists when they make fear the custodian of primitive ethics. Even in the highly evolved society of the twentieth century the pains of hell, the axe and the rope, are wonderful incentives to right conduct ; in fact, I am convinced that without them society would be an utter impossibility. It should be borne in mind, however, that the sons of the primitive forest would, after a few years, be strong enough to despise the edicts of the father, and after emancipation I am not sure that these wild lads would not undo all the good that had been done. But there is a still greater difficulty. What guarantee have we that the father's injunctions to his children were moral at all, at any stage of the development ? Perhaps what won the father's favour was ethically wrong, and what caused his frown was ethically right. It would be interesting to know definitely what evolutionists regard as immoral conduct. If the frown-favour standard be correct, evolution, to be consistent, must allow as much



natural sanction for immorality as for morality. Mr. Leslie Stephen's statement was correct when he said: 'It may be stated that there is no science of sociology properly scientific—merely a heap of vague empirical observations, too flimsy to be useful in strict logical inference.'<sup>1</sup> And in the particular department of ethics there is a heap of clumsy blunders and glaring contradictions. Mr. Huxley sums up the case in a mild way when he says: 'Cosmic evolution may teach us how the good and the evil tendencies of man may have come about; but in itself, it is incompetent to furnish any better reason why what we call good is preferable to what we call evil than we had before.'<sup>2</sup> The plain fact remains that evolution has not yet succeeded in presenting a respectable theory for the growth of human societies from ant-heaps and philanthropies from protoplasm.

R. FULLERTON.

<sup>1</sup> Presidential Address at the Annual Meeting of the Social and Political Education League, 1892.

<sup>2</sup> *Evolution of Ethics*, p. 31.

## A PILGRIMAGE

### A JOURNEY ON FOOT FROM LE PUY TO LA LOUVESC ACROSS THE CEVENNES

[ T was our custom while studying philosophy in the fine College of Vals, near the interesting and ancient town of Le Puy, to migrate each year to the old château of Mons, a peculiar, irregular structure, that charitable friends placed at our service for our holidays.

In August, 1902, some eighty young Frenchmen and myself went, as usual, to Mons. While there we spent our time, according to our bent, in botanising, or geologising, or simply in making long walks to some of the more beautiful spots in the neighbourhood, or to some of the more interesting châteaux that abound in that storied region.

One evening towards the beginning of the month a group of us were seated on the low parapet that flanked the outer ditch of the château. We were planning excursions. Some were for visiting Mount Mesenc, from whose bald head could be seen the whole chain of the Alps serrated against the sky. Others suggested Gerbier des Joux, from whose wounded side there springs the infant Loire, chief of the rivers of France. In my turn, I took up a map and pointed out La Louvesc. ‘ ‘Tis fifty miles as the crow flies—let us call it sixty, we can do it in eighteen hours. It will be a walk across the most picturesque region in our neighbourhood, and we can satisfy our piety by visiting the tomb of our departed Brother, St. John Francis Regis. Do any wish to come? ’ The idea was considered too ambitious—quixotic even by the majority, but some few asked for details of ways and means. After a short discussion the objections were overcome, and we determined to start on the following Friday evening.

Friday came, and four of us stuck to our determination to go on a walk of one hundred and twenty miles across the Cevennes Mountains, to visit the relics of St. Francis. We determined to do it in three days, and we succeeded. The

following pages will give some account of this pilgrimage, and some description of the country through which we passed.

As the summer months are unpleasantly warm by day we arranged to start towards evening, and travel by night. We were to carry what provisions we needed in black canvas bags hung over our shoulders, and we calculated that, leaving at seven p.m., we could arrive at La Louvesc by noon of the day after our departure.

From out that ancient château had gone forth many a varied party of pleasure or of war, but few were more thoroughly in keeping with traditional medieval spirit than this small band of pilgrims—going forth into the darkness, without a purse, to pray at the tomb of the illustrious St. Francis Regis.

The 'Angelus' had rung ere we left the courtyard, and the sun was already speeding westwards. The main route would have led us to Le Puy, but this would have added several miles to our journey, so we ventured to make a bee line for the bridge by which we were to cross the Loire. To understand our manœuvres you must know that Mons is perched on the side of a hill, well over the Loire valley; in consequence, the direct descent to the river is steep. We were unlucky enough, too, to take a wrong turn,—no difficult matter where all the paths are similar,—and in a short time we were helplessly lost amongst the little vineyards that rise in terraces some thirty or forty in number along the sides of the Valley of the Loire. An inauspicious start! to get lost within a mile from home, in a country we had traversed fifty times. We slowly descended from terrace to terrace, and finally struck a winding path which enabled us to rejoin the main route a little above the bridge we were in quest of.

The sun was now setting, and it needed all the serene majesty of that glorious sunset to restore our equanimity, lost amidst the vineyards. Heavy masses of detached clouds floated in the heavens and all now were ablaze. At our feet rolled the broad and shallow Loire—a molten stream of gold. For once the dark valley in which the



Loire loses itself—significantly called ‘the horrors of the Loire’—was aglow with light, but the light was blood red, and spoke of a day that was dying, and heralded a night that was big with storm.

We marched over the bridge awestruck at the solemn stillness. We passed on through the little village, and a rough peasant clattered by us in his wooden sabots—no hand touched his hat—a stolid, sullen-looking individual, clad in a blue blouse, who seemed fitting company for the sedate ox that drew his rustic car. However, the peasant of the Haute Loire improves on closer acquaintance. He is a primitive type and many patriarchal customs still prevail in his home on the mountain villages which abound in these regions. From any of the isolated rocks which are for ever jutting up in a bewildering manner one can count numerous villages, sometimes as many as twenty. The larger of these may have a church—for the churches are very numerous in Velay—but where there is no church you have what is called ‘the assembly’—a small house where the village matrons assemble to tell their beads and where the men are sometimes induced to assemble to listen to the Catechism. The old-time custom still prevails of having a single shepherd to tend all the sheep—small, wiry animals—of the village. Then there is a common bake house, much as with us, in country towns, a common oven cooks the Sunday dinner of many families. Among themselves the peasants speak a peculiar patois—nearer to the Latin than the French, very difficult for the uninitiated to understand, for it is another language and not corrupted French.

Swinging along at a good pace, we soon left the village behind, and mounted steadily one of the great high roads of France. A stranger, I could not help being struck by the magnificent high roads; in fact, a perfect network of roads seems to cover the country, arranged in various classes. Everything of this kind is superintended from Paris; great uniformity is thus ensured, and small play is allowed to local incompetency or caprice. Our road mounted. Beautifully engineered, the ascent was gradual,

and we soon got on to a large plateau. We traversed this, and then continued to ascend. As we advanced, new scenery continually opened before us ; for in these mountains, as the road ascends or drops, a kaleidoscopic variety results. The whole of the region we were traversing is volcanic, and the gigantic upheavals of the past are recorded in legible characters on the whole country face. There are mountains everywhere. Starting on a walk, one is surrounded by an amphitheatre of mountains and at the end of even the longest day's journey one is still shut in by tiers of hills piled one on the other. The highest peak of all is the Messenc, some 6,000 feet, but all round are many lesser hills which attain the goodly altitude of four or five thousand feet. The shape of no two of these hills is similar. There are conical rocks, there are round-topped hills, truncated cones abound, in fine, there is the infinite variety left in a region which had been the playground of the demons of volcanic energy for ages.

As we advanced, the shades of evening threw a pall over the scene, and soon the darkness of night reigned supreme. We trudged along a road that was rendered doubly dark by the shade of the abundant pine. How invigorating was the sweet scent that these trees poured forth on the evening air ! I can never see one of our own green firs without recalling the sweet odours that pursued us in our pilgrim's course that autumn evening. The stars came out in the heavens, but their supremacy was challenged by thick clouds that massed on the edges of the sky. There was no moon to enlighten us, but we knew our way as far as Yssingeaux, a town we expected to reach about eleven. On our right we left the famous granite quarries of Blavozy, where huge rents are made in the flanks of the mountain and great seams of solid granite are extracted and carted away to ornament the public buildings of the 'Midi.'

Shortly after this, as we moved along, we became conscious that we were followed by a solitary figure. If we slowed down, the man behind did the same. When we imperceptibly accelerated the pace, we did not increase

the distance between us. We were not exactly uneasy, but it was distinctly uncomfortable to be followed by an unknown person in the dark. This stealthy pursuit continued for two good hours. From loquacious cheerfulness we were reduced to silence, and then to anxiety. What could it mean? No matter where we went our shadowy companion pursued us. Was he a police agent? Finally we determined to stop and find out who and what he was. We had just passed a cross roads, and at the other side of a turn we suddenly halted. On looking round we saw no shadow, nor did we see any more of our mysterious follower. It was probably some lonesome peasant who kept near us for company's sake.

We had calculated on reaching Yssingaux at eleven, and it was now thirty-five minutes after that hour. By this time we had walked nearly eighteen miles, and we needed a rest. We had decided not to halt till we got beyond this town. There was no sign of it. We were weary. Could we have mistaken our road? We see a light ahead. Hope is reborn within us. It is only a farm-house, in off the road. Twelve o'clock passes, and we are nervous and uneasy. We had been walking steadily for five hours. We calculated that we had walked four miles at least per hour. Yssingaux was not more than eighteen miles from Mons, therefore we ought to be at it, or else we were astray. What were we to do? As we debated this question, we continued our journey. The houses seemed to become numerous. 'This must be Yssingaux,' we exclaimed, and so it was. The inhabitants of the village were nearly all abed. In some upper windows a solitary light burnt low. We quietly passed through the rough streets, and soon left all the red-tiled houses behind.

A halt, at last! It was a strange scene. We stopped by the road-side, and opened our umbrellas, for the wind had now risen; it was fresh, so we unfolded our cloaks and threw them around us. Then we lit our little paper lanterns, and there by that dim light we had our first meal. Bread and cheese, and cold sausage and eggs were rapidly disposed of. We each carried several hard-boiled



eggs. These are, it would seem, a suitable food on a long journey, but alas, we had forgotten the salt! Trivial detail! but it was destined to break up our small party. At ten minutes to one we were again on foot. By the dim light of our lanterns we examined carefully our maps, for we were now in a completely unknown country, and we were still some thirty-five miles or so from our destination.

The darkness added something of the terrible to the deep gorges that at times skirted the roadside, and made the apparent danger from overhanging cliffs seem more real. The general nature of the country remained mountainous; now we were following some rugged valley, now ascending some abrupt pass, everywhere cliff and chasm threatened instant death to the unwary. Ever and anon we approached some of the ancient châteaux, in which this country abounds. The peculiar nature of the rocks lends itself in an extraordinary degree to the construction of quite impregnable fortresses. The rocks that most abound are granite and basalt.

Now the basalt has been worked into most fantastic shapes by the dreaded agency of fire. Take, for example, the château of Eynac, and the rock on which it is built. As a position at once impregnable and awe-inspiring I can scarcely figure to myself anything more remarkable. In a hollow along which runs the Somenc, completely separated from every other rock, rises the huge basaltic mass called the 'rocher d'Eynac.' The formation of this rock is curious in the extreme, but not uncommon in these parts. First there is a layer of lava, which rises in beautiful vertical prisms to a great height. Above this, evidently the deposit of a later age, another flow of lava extended out over the first in a vast convex mass forming a cornice of twisted tortured columns of basalt. As this second stratum protrudes well beyond the perpendicular wall, all access is barred for the greater part of the circumference of this curious rock. By long and tedious toil a zig-zag path was cut in the rear and led to the summit where the castle is perched in isolated magnificence among the birds. Entrenched behind their ramparts the Counts of Eynac might

well feel safe in days when cannon were unknown. Unless a traitor delivered up the approach, it is quite inconceivable that any armed force could have taken this fortress.

Châteaux and rocks were all shadowy and spectral in the deepening gloom. The very valleys seemed broader and deeper than by day, and the vastness of the awful convulsions of nature simply appalled us. As we advanced the clouds seemed massing for action. Vivid flashes of lightning now darted from the lowering clouds, and we longed for shelter. Soon heavy drops came pattering on the granite roadway, and we sought momentary protection under the shelving rocks which lined the road. Streamlets abound in this country, and the thunderstorm soon swelled them to torrents. Down they tumbled from the cliffs and clattered to the valleys, and the roar of the waters answered the thunders above.

We were in no enviable position. The darkness was almost palpable, save for the occasional gleam of the lightning, which was far from reassuring. No house was near. There was danger of our path being stopped by the overflow of some mountain stream. However, the thunder died gradually away, the clouds broke and the rain stopped. It was now three o'clock, or more, and some of the scudding fragments of cloud caught a ray of the approaching sunlight and proclaimed to Velay the birth of another day. I do not know what enchanting power light possesses, but it turned wearied, foot-sore pilgrims into fresh and gay travellers. Soon the whole heavens were aglow, and all the scattered rack of the late storm racing over the sky was transformed into a thing of beauty by the magic touch of dawn.

We seemed to get new life as we emerged into this new world. The portals of the night had closed upon us, and the songs of birds ushered us into the domain of glorious day. For him who botanises the scenes that the young day offered to us would have rejoiced the heart. Here the narcissus is a common wild flower, as plentiful in the meadows as the dog daisies in Ireland. The purple sweet-smelling violets abound and spread their rich, delicious

odour far afield. The bypaths are strewn with a beautiful, graceful convolvulus whose white is streaked with red. Many were the strange flowers that we beheld, opening their graceful petals to the beneficent sunlight.

While the first glow of morning still illuminated the village spire, we marched into Tence. It was now five o'clock. It was too early to hear Mass there, so we determined to push on. When we got outside Tence, one of our party complained that he could go no further. Alas, eggs without salt is not a dish that suits a French stomach. The pace had to be moderated, and thus we entered the famous pine forest that lies between Tence and Bonnet-le-froid.

At the entrance to this forest we held a council of war, as at our present rate we could not expect to arrive at Bonnet in time for Mass. *Que faire?* What were we to do? Finally we determined that I and a companion should push on rapidly. Nine miles separated us from Bonnet; we had to get there in two hours. On through the pines we plodded, the *debris* of the pine trees forming a soft carpet beneath our feet. The odour that floated on the morning air refreshed us. As we plunged deeper into the forest, we entered a region of eternal twilight. Perhaps since the days of Casar, whose armies traversed these regions, the full light of day never reached many broad acres of this aged forest. At length we left the pines behind, and pursued our rapid course through open and fairly level country; and soon 'Bonnet the cold' came in sight. The church was a small one. In this district the churches are not so numerous as near Le Puy; but this church was not any prettier for being solitary. Tawdry and cheap ornamentation is prominent. The statuary is vile. The benches or chairs are straw-bottomed and cheap. The congregation is sparse, mainly made up of women. In fact, the general aspect of the externals of religion is depressing in these rural parts. As we entered, we had the ill-luck to see the Curé turning a corner going away from the church. We had arrived too late. To our astonishment a moment later, our two companions ambled into



the village at a good pace. The eggs without salt had not indeed as yet done their worst ; and a short-cut that had escaped our eagle eyes had lessened the distance for our companions by about a mile.

It was nearly time for breakfast. We had been walking for thirteen hours, and there remained nearly ten miles more to do—good up-hill work, too—thus there was urgent need of rest. Our stock of provisions was not yet exhausted, but we felt in need of something warm to drink, as the morning air proved uncommonly chill. We called on the Curé, but we found him out. However, his house-keeper turned up trumps. She insisted on our entering and taking breakfast. Poor woman, she little reckoned on the rapidity with which the bread disappeared. She served us up some cold sausage, and this went rapidly, too. Her wonder at discovering a teetotaler was great. She had never met one before. My companions, needless to say, took wine, everyone does in France ; but, trained up from boyhood to rigid views on the point, I preferred not to abandon them here. Hot coffee soon made us feel quite refreshed. Altogether, I do not ever remember to have made quite such another breakfast, but in truth, the seasoning of hunger stood us in good stead.

We had allowed ourselves an hour for this halt, and sharp to the minute we rose to leave. Alas ! the first ten minutes afoot were very painful. Our careful study of the maps had indicated some useful short cuts, and these we now endeavoured to follow. They led us away from the great high road, on to by-roads of the worst description. Ever and anon we came to the edge of unforeseen precipices which we skirt, and then leave or cross by some rustic bridge. The coarse boulders that blocked the path were a trial to our weary feet. On we stumbled, and the sun now grew painfully hot.

We seemed to be ever mounting along the crest of an immense valley of profound depth. Along its sides we could trace the white line of the road for miles. Keeping to the upper reaches of the valley, we soon found ourselves on the backbone between two valleys. On both sides

stretched away to the horizon a vast variety of scenery. Glorious it was, and even the tropical heat of a sun whose rays had greater power in the rarified air, could not prevent us from enjoying the wonders of the scene, shot through with marvellous light. Our weary companion still struggled bravely on, in fact we were all weary now. At last, at ten minutes past eleven, on rounding a turn, we struck the first houses of the little village where repose the last remains of the great saint who had evangelized all these regions and had performed the same journey as we had just done two hundred years before. Here was La Louvesc. In a short time we would venerate the remains of St. John Francis Regis, S.J.

It was just seventeen hours since we had started ; we had climbed more than two thousand feet, and had crossed between fifty and sixty miles of mountainous country, yet we were not quite exhausted. Of course, we needed rest, and so we did not explore the neighbourhood of La Louvesc that day, but kept quiet and spent most of our time in praying at the shrine of the illustrious saint whose fame had attracted us from afar.

The church which guards the relics of the saint is the work of the brain that devised the noble pile of Fourvière at Lyons, one of the richest churches in the world. It is the crypt of a saint, and the architect has built his church to represent this. One does not expect to find such wealth of architectural detail hidden away in the heart of the Cevennes, twenty-five miles from the nearest railway station. But the beautifully carved pillars and graceful tracery of the roof are the least attractions in that sacred building. The faith of the peasant in St. John Francis is great, and that shows itself by the multitudes that flock to this shrine, and by their devotion and piety when they get there, and this it is that most attracts at La Louvesc. As great faith is necessary for miracles, so great faith is often accompanied by them.

And thus we found it here. Many miracles are worked at this shrine, some of them very striking. I merely mention one that is perfectly well authenticated. Two years before

we paid our visit a peasant had the misfortune to break his leg. He bethought himself of the shrine of St. John Francis, near at hand, and got his friends to carry him to it. They all assembled in the church, and prayed there; the injured man abounded in faith. He had heard of what had happened to others at the shrine; why could not the same happen to him? After a round of prayers, the relatives approached their suffering comrade to enquire how he felt. When he tried his leg he found it was healed and strong. The thanksgivings of the peasants may be imagined. Homeward they returned rejoicing, across the mountains. The former sufferer was the gayest of them all. He showed his gaiety by crossing the country, jumping the ditches and boulders that he met. At one jump bigger than the other, he slipped and fell—his leg broke again. 'Ah, my friends,' cried he, 'you must carry me once again to La Louvesc.' Their patience was not quite exhausted. His request was listened to, he was carried once more to the shrine, and, wonderful to tell, his leg was cured anew.

With such stories as this flying over the countryside, you may easily believe what vivid faith fills the hearts of the people. It shows itself in various ways which seem strange to our eyes. Everything in the neighbourhood that the saint's name is connected with is sacred. You feel that you are in no ordinary village. It is the city of a saint. The house where he died is shown near the church. There lies the waxen image of the saint. The bed on which this image lies is screened by a paling from the remainder of the room. Now this screen is frescoed with a motley assortment of arms, legs, and hands in wax—*ex votos* from grateful clients of the saint. The pictures of Lourdes have made us familiar with the piles of crutches that are so numerous there. Here, too, a forest of crutches attest the multitude of cures granted to the prayers of St. John Francis. Another strange devotion that the faithful have is to leave penny pieces on the bed of the saint. When we visited it, the quilt was covered with coppers. No man so poor but can contribute at least two sous; and so these



offerings accumulate as successive pilgrimages visit the shrine.

At one end of the village street lies the well that issued from the rock at the word of the saint. The water is icy cold, and its healing properties is a matter of universal repute. No pilgrim has duly done his task who does not drink at this fountain, and carry off some of its clear waters to those whom business kept away from the sacred place. Hence this well is a much frequented spot; numerous vendors of bottles hard by seem to do a flourishing trade. In fact the sale of all kinds of pious objects—rosaries, bottles, plates, etc.—must be enormous. Of course the inevitable picture postcard was to the fore. Were you induced to visit Timbuctoo or Spitzbergen, you would probably find on sale cards of the Great Sahara or of the North Pole. Into this well, as into the bed of the saint, pennies were thrown in great quantities. It seems to be portion of the tradition that to get a favour from the saint, you must give something to him yourself. Are not our own Maybushes a remnant of a similar belief?

We spent Saturday evening at our devotions. We went to bed early that night, and half-past nine found us all asleep. The following morning we got up late. We attended Mass at seven o'clock. The fervent piety of the faithful at Mass struck us greatly. No miracle was performed during our stay. After Mass we visited the places where the saint is still venerated. As we walked about the village, I noticed a hill in the neighbourhood from which, on account of its isolated position, I felt sure a splendid view was to be obtained. I was afraid to suggest its ascent to my companions, so while they were continuing their explorations I set off alone for this hill. It was not more than a mile distant. The ascent was fairly difficult, but I got to the highest point at last. Struggling through thick undergrowth and over rugged boulders, I had no immediate idea of beautiful scenery—once on top a panorama of magnificent extent and varied interest lay at my feet. Away on the horizon, at an incredible distance, lay the clear blue line of the Alps. They seemed to eat into

the heavens, an irregular edge like a saw cutting into the blue. Then a long faint line of fog indicated the bed of the Rhone—between me and the Alps there rose up several parallel ridges of mountains. It was as if one vast sea of liquid earth had been suddenly congealed in the course of an awful storm, and the gigantic waves of earth remained as mountains, the troughs between the waves are the valleys of to-day.

The glorious light of the ‘Midi’ fell upon it all, and the clouds from the heavens cast shadows on the earth. The wind drove the shadows quickly onwards, and they skipped over the mountains and valleys, and dappled the face of nature. The great variety of tints that different vegetation and distance and light combined to multiply, blended into a pleasing complex whole. Now and again a grey patch seemed to indicate a castle, but the handiwork of man was lost in the immensity of space that stretched onwards from where I stood. I tried to reconstruct our route of yesterday, but I got lost amidst the intricacies of innumerable mountain chains. I could make out the bald-headed Mesenc, the highest peak in the Cevennes, which on another occasion I had climbed by moonlight to see the sun rising behind Mont Blanc, and the eternal snows of the Alps grow red in the early light of day. I could see the bold form of Gerbier des Jones, a natural monument proclaiming the birthplace of the infant Loire. In vain I searched for Le Puy and its famous Roche Corneille, whereon is placed the famous bronze statue of the Blessed Virgin, sixty feet high, rising on its pedestal of living rock, four hundred and fifty feet above the market place. It was nowhere to be found. From my point of vantage, commanding such an extent of space at a glance, I could not help reflecting on the infinity of the Creator and the littleness of man. Here was a magnificent sight, one of almost unrivalled grandeur—yet it was but the faintest reflection of its Maker’s supreme beauty. In such surroundings it was easy to conceive that man’s highest good is the contemplation of the τὸ καλόν.

My meditations were stopped by the noise of voices.

Some one was coming my way. The briars opened, and there emerged my three companions. Our astonishment was common. They had been moved by the same idea as myself. They, too, enjoyed and were impressed by the unique and splendid spectacle we had the good fortune to see. Scenery depends for its charms to an astonishing degree upon light, and the air of heaven was pure to-day and the sun was strong.

We rested long upon our magnificent eminence, drinking in the pure limpid air. This countryside is famous for its wholesome air, and people flock to it, as we do to the sea. But we had to return at length to our lodging, and get ready for our evening's journey. Our hosts were kindness itself. They tried to make us stop over the Sunday, but we had arranged otherwise. At length towards eight o'clock we started (with bags reladen). However, we were now only three. The saltless eggs had rendered one of our companions unfit for further forced marches; so he determined to start on Monday morning, and take the diligence to Dounières, and thence train to Le Puy.

We were not as fresh on Sunday evening as on Friday, but yet we were in good trim. The night was bright, and we were soon at Bonnet. From there to Tence did not take us long. After Tence we determined to change our course, and we directed our steps to Aroles. The reason for this change was that we wanted to meet a priest at Aroles with whom we expected to breakfast. This brought us considerably out of our course, but we decided that we would be the gainers in the end.

It was not quite midnight as we left Tence. We had now to have recourse to our maps, as we had left the high road and were going across country, or at least following bypaths—often of a dangerous and precipitous kind. The night was dry but dark. The darkness grew blacker and blacker. At last we could no longer see the road. The wind had fortunately ceased, so we tied our lanterns to the handles of our umbrellas, and held them near the ground. We thus avoided precipices, but our progress grew slow. We had constantly to consult our maps. The road was very un-



even ; it was one series of ascents and descents ; the darkness grew quite Stygian. At one point we struck a cross path and we were puzzled. For once we seemed at fault. At last we found the cross paths marked on the map, but before we could decide which was our road, our last piece of candle sputtered and went out. Now our troubles began. It must have been half-past two, and we ought to be within four miles of Aroles. We counted on making it in seventy minutes. But which road to take ? It was quite useless to return to Tence—eleven miles away ! Where could Aroles be ? We trusted to luck, and turned to our right, as we thought it should be in that direction. In the darkness and doubt we marched but slowly, and finally, while awaiting the dawn, we determined to breakfast. This time we did not forget the salt. But it was uncanny work eating in the dark, thirty miles from our destination. However, the morning was drawing near.

At last we started again. The light was somewhat better, we could at least see the road without a lantern. After a time my eyes were gladdened by the sight of a peaceful village—Aroles at last ! It might have been the city of the dead—no light nor sound. We soon made the welkin ring by hammering a door with a stone. At last a sleepy, surly, threatening voice entered into parley. ‘Aroles ?’ ‘No.’ ‘Where ?’ ‘Gaillard.’ ‘How far to Aroles ?’ ‘Don’t know ?’ ‘What direction ?’ ‘Down the village’ ‘Which way ?’ On this the window slammed. No further information could be gathered. It was now after four, and a painful search indicated the position of Aroles and Gaillard on the map. If we were right in our orientation we had to cross a bridge after ten minutes’ walk. We crossed the bridge. We were now retracing the journey of the morning to a certain extent. I do not know what is the psychological reason, but I felt no six miles cost me more than did these six which we spent aimlessly wandering about near Gaillard. At length we struck a long ravine. Straight opposite to us was a village with a church spire. This must be Aroles, we

thought. The road followed the side of the valley for miles; then a bridge crossed the stream and the road returned down the other side of the valley. All the while *there* was Aroles just over the way.

The tantalising proximity of the village separated from us by several kilometres of road, so worked on our somewhat exasperated feelings that we decided, somewhat rashly, to plunge straight down the valley side, cross the streamlet, and climb straight up to Aroles. We left the path to carry out this seemingly easy task. The thickets of pine through which we descended contained many surprises. Now we had to avoid a morass; now we had to descend eight or ten feet of naked rock; now a barrier of briars blocked the way. Finally, the stream stopped us. We crossed it at length without mishap. If the descent had been perilous, the ascent was steep and trying. It was finally six o'clock ere we reached Aroles, and very tired we were. We were early visitors, but Monsieur le Curé was *chez lui*, and very kind he was. Mass was at seven, and then breakfast. We had large appetites, but the Curé had a larger heart. We could not eat or drink enough. People who had walked all night on hardboiled eggs and cold saucisson, were evidently in need of solid food, and so he heaped our platters. After breakfast he asserted his rights as host, and ordered us to bed. For two hours and a half we rested. They might have been twenty ere our pristine vigour were fully restored. We dined before twelve—this seems to be the hour of ecclesiastical dinners from Calais to Shanghai. And then, at one, our kind and genial host came with us part of our way. After two miles we parted from him, and he returned to his house. We were very grateful to him, but I suppose he must have been glad of some variety in his monotonous life. Of all the curés I met abroad he was the most courteous. As a rule there is a marked difference between the Continental ecclesiastics and those at home. The vile system that then existed of expecting the priest to live a respectable life on a miserable pittance, seemingly lowered the status of the clergy. As the poverty was not altogether voluntary, the

people did not seem to regard it as edifying or Christlike, as indeed it was.

We were now accomplishing the last stage of our journey. The full heat of the August day poured down upon us, and we suffered greatly from thirst. We bore bravely on, and we entered towards evening the regions that we had touched already in our ordinary walks. It was only then that we began to feel the weight of all the miles we had traversed. We passed again the great quarries of Blavozy, and we now swept down that long stretch of splendid road that falls gradually to the Loire valley. From this height we could see Le Puy, and beyond rose up in solitary grandeur the donjon of the ancient fortress of Polignac. Of all the ancient châteaux none have played a more important part in the history of these parts than that stronghold. Eynac indeed is inaccessible, but Polignac is vaster far, and art had so perfected the work of nature that the nobles who dwelt in that fortress were justified in feeling perfectly secure from assault. Well did the Counts of Polignac know this, for they braved all the neighbouring lords, nay, even the warlike Bishops of Le Puy felt the force of their mailed fists. Heraclete and Pons II are names that live in the annals of Velay. Within the enclosure, in part still standing, is an ancient chapel, and near the chapel is a little cemetery. That chapel saw the baptism of all the sons of the illustrious race of Polignac. It was there that their lips were first moistened by the Blood of God in the Sacrament of His Love. There it was that the ancient line was enabled to renew its youth by the sacred marriage bond, whereby link after link was added to the ever lengthening chain. It was from that sanctuary that the Princes of Polignac sallied forth on their bloody forays, and when in the eleventh and twelfth centuries they engaged in fierce struggles against the Lord Bishops of Le Puy, the monk stood at the threshold of that shrine and raised his hand in benediction as they set out on their dangerous errand. In fine, after a life of mingled pains and joys, of stormy broils and riotous reveling, after gay marriages and gloomy hours of defeat, after



days of sacrilegious pilfer and nights of remorse, after the evening of life passed in repentance, after the palsying disease or rapid battle wounds, it was from that sanctuary the last remains of the Princes were carried forth to be placed in line beside their ancestors in the traditional coffins of stone which still may be seen in the cemetery after all these years.

Thus musing we crossed the Loire. Once more the wizard evening sun had changed the banks of clouds by his wondrous alchemy, into masses of gold. Guided by his parting rays we slowly climbed the stiff ascent that leads to Mons. At last, as the warning bell rang out the welcome summons to the evening meal, the shadows of three weary pilgrims fell across the gloomy portals of the ancient château of Mons. Our devotion to St. John Francis Regis had led us far afield. It had made us traverse many a mountain range, slowly climbing the long ascents that led us to glorious views by night as well as by day, rapidly swinging down the swift declines, plunging into thickets of pine and hurrying by mountain torrents that tumbled in abundance from the mountains. It had carried us through a volcanic region where the records of vast prehistoric cataclysms were perpetuated in the torn crater, the pierced granite, the tortured columns of basalt. It had led us by many an ancient château perched on isolated rocks that threw a vivid human interest over the landscape; it had unrolled before our eyes the ever changing panorama of heaven, from sunset to sunrise, and on through all the various phases of the day that we followed from its birth to its last moment when it went out in a flood of red. And the sure guidance of the saint in reward of our devotion kept with us still, and after much fatigue and toil brought us safely back to the fold once more.

W. P. HACKETT, S.J.

## 'APPEARANCE' AND 'REALITY'—II

## I.

WHEN I read the recent Papal Encyclical on Modernism<sup>1</sup> I thought it would be desirable to point out and examine some of the sources of that *Agnosticism* and *Phenomenism* in which modernists find the root of their Philosophy of Religion—'*philosophiae religiosae fundamentum*.'<sup>2</sup> The errors involved in these systems are so remote and hidden that I have been obliged to deal with their sources at much greater length than I had originally intended. Two great fundamental questions seem to me to be more especially at stake.<sup>3</sup> Of the first of these: whether the human mind can know with certitude (a) the *existence* and (b) the *nature* of a Material Universe distinct from itself, I have answered the first part in my last article;<sup>4</sup> the second part is discussed below. With the second great and still more fundamental question: whether the human mind is at all capable of reaching a real and reliable knowledge of anything beyond mere subjective, mental appearances, of any reality whatsoever, material, mental, or spiritual, I propose to deal in a subsequent article.

I have indeed referred to both those questions repeatedly already in the course of a series of articles on 'Subject and Object in Knowledge and Consciousness,' which appeared in the April, May, and June numbers of the I. E. RECORD. Those articles, however, dealt mainly with certain problems preparatory to the discussion of the two questions just mentioned. In discussing the various matters considered in them, my object was to clear up certain obscurities in what I take to be the attitude of scholastic philosophers generally towards these

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<sup>1</sup> 'Pascendi Dominici Gregis,' I. E. RECORD, October, 1907, pp. 401-442.

<sup>2</sup> *Ibid.*, p. 403.

<sup>3</sup> See I. E. RECORD, August, 1908, p. 114; May, p. 487.

<sup>4</sup> August, pp. 126-129.

two, out of the many great questions that divide—or seem to divide—scholastics from other modern philosophers. It is well that we should be clear about our own position, its limitations no less than its advantages, in order to have an accurate appreciation of the real difficulties of the problems raised, as well as of the merits and demerits of attempts to solve these problems on other than scholastic lines.

I may be permitted at this stage, therefore, to sum up and recall to the reader's mind the chief questions already discussed and the main conclusions we have so far reached.

## II.

(a) We are forced to think of knowledge, of whatsoever kind, as involving a certain duality, a distinction between *subjectum cognoscens* and *objectum cognitum*.<sup>1</sup>

(b) In order that this distinction be revealed in consciousness *in any one single act of cognition*, the knowing subject must apparently be capable of becoming, *in and through that act*, concomitantly aware of itself knowing, as well as of the object (self or non-self) directly known. Nay, more, if the direct object of any single act of the knowing mind can be the knowing mind itself, then the latter must be capable, in this one single act, of *reflecting*, i.e., of becoming object as well as subject, and of recognizing subject and object as, in this case, identical.

(c) So far as merely sentient knowledge is concerned<sup>2</sup> there seems to be no need for thinking that a sentient being becomes, in any single cognitive act, implicitly and concomitantly aware of its own feeling self: at all events no such assumption of 'concomitant awareness' is necessary for the explanation either of external sense-perception or of such internal sense-perception of their own organisms as animals are supposed to possess;<sup>3</sup> and the question whether an act of sense-cognition *can* or *cannot* carry with

<sup>1</sup> I. E. RECORD, May, pp. 481, 482; April, pp. 408 (note 2), 411.

<sup>2</sup> *Ibid.*, April, pp. 397 sqq.

<sup>3</sup> *Ibid.*, pp. 404, sqq.; May, pp. 489-492.



it an awareness of the sentient subject is one to which no decided answer can be safely given owing to the close natural union of intellectual with sentient cognition in human consciousness.<sup>1</sup>

(d) For intellect, as distinct from sense, philosophers generally claim the power of *reflexion* or reflex cognition: from this peculiar property of intellectual thought they infer the simplicity and spirituality of intellect<sup>2</sup>: and to the same property they attribute the superiority of human 'self' consciousness over the mere brute's feeling of its own organic life. Analogies drawn from the transitive nature of the *physical* energies of the *material* universe, give us as little help in determining whether an isolated exercise or act of *mental* energy of the *intellectual* order can thus 'reflect,' as it does in determining whether an act of mental energy of the *sentient* order can be 'concomitantly aware' of its own source or principle.<sup>3</sup> It is, however, futile to endeavour to throw any doubt upon the palpable fact that the human mind does watch its own activities as they go on;—however this fact is to be explained. It would seem to imply that the mental energy can flow in different channels as it were, and be exercised in different and intersecting directions, at the same time; but not necessarily to imply that *one and the same* wave or impulse of this energy can 'reflect' upon itself.<sup>4</sup> Hence we need not hold that the distinction between *subjectum cognoscens* and *objectum cognitum*, which we are forced to regard as *involved* in every act of knowledge, is *revealed* in any one single act. The assumption set forth in (b) above is therefore unnecessary.

(e) There is, moreover, this special difficulty against attributing man's knowledge of his own 'self' to *purely intellectual* acts of the *reflex* order, i.e., to acts having for *object* the source or *subject* or principle whence they spring: the difficulty that the proper object of *intellect* (as opposed

<sup>1</sup> I. E. RECORD, April, pp. 400, 401, 412-414; June, pp. 618, 619.

<sup>2</sup> *Ibid.*, June, pp. 618, 619; Maher, *Psychology*, p. 472.

<sup>3</sup> *Ibid.*, April, pp. 400, 413.

<sup>4</sup> *Ibid.*, June, pp. 617-619.

to *sense*) is the thing or reality in its abstract, possible, changeless, timeless, spaceless condition, while the *Ego* or Self of which each of us is conscious, is a concrete reality, actually existing in the changeful conditions of time and space.<sup>1</sup> If this scholastic teaching—about the distinction between the object of intellect and that of sense—is true (and it seems to be very well grounded) each one's purely intellectual concept of his own 'Self'—like every other 'individual' concept of his—would always remain of necessity theoretically abstract and universal. It would indeed be made *practically* concrete and individual by the richness of its contents, by all its attributes being found embodied together only in that one sum total of sense-data which forms the 'Self' apprehended in sense experience<sup>2</sup>: but of itself and in itself, and considered apart from the self-knowledge furnished by the senses, the exclusively intellectual product remains a cold, lifeless, bloodless, universal concept—a something which attracts very little conscious attention compared with the warm, living, palpitating, internal sense-data that monopolize almost the entire field of a man's normal consciousness.

(f) Indeed it is not at all so clear whether this purely intellectual concept of the *Ego*—with all that it involves—is rightly described as a 'consciousness' of the *Ego*; whether the intellectual processes by which each of us gradually builds up this rich and complex conception of his own self or person, are so many immediate reflex intuitions by which the intelligent mind becomes aware of itself as *subjectum cognoscens*, and not rather so many acts of intellectual abstraction and inference from the concrete

<sup>1</sup> I. E. RECORD, May, pp. 492-7.

<sup>2</sup> *Ibid.*, pp. 496, 497. Cf. Rickaby, *First Principles*, p. 320: '... there seems more difficulty about individualizing our ideas than about universalizing them... we never have an intuition of individuality itself as such. Our demonstrative pronoun itself, backed up by additional terms, "this very individual," is left a universal, unless we can fix it, proximately or remotely, by some fact of concrete experience. Touch a thing while you call it "this," and you are fastening upon an individual; but mere ideas without an experienced connexion in fact,—either your own experience or the experience of someone else,—will not carry you out of the universal. "This man" has no individuality till it is somehow concreted in sense experience.'

*data* of sense. All the information which this concept gives us about the *nature* of the thinking self or subject is ascribed by scholastic philosophers not to consciousness proper but rather to intellect interpreting and reasoning from, sense-data.<sup>1</sup> And when they teach that the mind apprehends its *existence* directly and immediately *in its own acts*, they seem to be referring (1) primarily to our internal *sense* knowledge of our vital functions, (2) secondarily to our abstract *intellectual* apprehension of these same functions under the concepts of *vital energies, activities, vita in actu secundo*, and also perhaps—though this touches the *nature* rather than the *existence* of the *Ego*—(3) to the intellectual apprehension of a self as *one substance* or *subject* or *agent* underlying all these vital activities.<sup>2</sup> From this it would appear that the total contribution of *intellect* to our knowledge of 'self' is by way of abstraction and inference from sense-data: though some of these judgments or intellectual interpretations of sense-data are so direct and immediate that they may be not incorrectly described as 'data of consciousness.'<sup>3</sup> If we describe as 'sense-consciousness' our direct sense intuitions of our own sentient, organic functions, why should we not describe as 'intellectual consciousness' our higher abstract intuitions of all our activities, and of the source or substance or agent from which we are forced to think that these latter emanate?

(g) When a merely sentient being becomes aware of vital functions which are *its own*, its consciousness has a peculiar tone or quality<sup>4</sup> which is the only *revelation* of the *subjectum cognoscens* or of 'selfness' that appears in sensation: a self-revelation which the sentient subject does not and cannot apprehend as 'selfness' in the abstract.<sup>5</sup> When, however, the *subjectum cognoscens* is not merely sentient but intellectual, he is capable of interpreting these and all his mental activities *as activities of a sub-*

<sup>1</sup> I. E. RECORD, June, pp. 614-617.

<sup>2</sup> *Ibid.*, p. 612.

<sup>3</sup> *Ibid.*, p. 614.

<sup>4</sup> *Ibid.*, May, p. 491; June, p. 617.

<sup>5</sup> *Ibid.*, May, p. 489.



*stantial agent* which he signifies by the terms *Ego* or *Self*. In this intellectual cognition of a *substantial Ego* or 'Self' we have what we may call the *revelation* in consciousness of the distinction—and identity—of *subjectum cognoscens* and *objectum cognitum*. Whether we call this cognition an *intuition*, a *process reflex consciousness*, an *immediate and direct interpretation of sense-data*, or a *necessary immediate inference from the latter*—seems to me a matter of minor importance.<sup>1</sup> What is of supreme importance is this: that we should recognize in this 'Self'—which we are thus intellectually compelled to conceive as *substance subject, agent*—the REAL Self, the *subjectum cognoscens*; that in and by this intellectual intuition, this 'necessity of thought' as Kantists would call it, the REAL, Thinking, Substantial Self, is 'revealed' as *Noumenon* to the Intellect, as fully and validly as its various activities are 'revealed' to the Senses as *Phenomena*; that it is in fact one and the same 'Self-Reality' which is revealed under different aspects to Senses and Intellect, and that there is no distinction, much less an impassable abyss, between the (supposed *unreal*) Phenomenon and the (supposed *unknowable*<sup>2</sup>—though 'noumenal') Reality.<sup>3</sup>

(h) Turning next from the knowledge of 'Self' or 'Subject' to the knowledge of 'Non-Self' or 'Object,' I have endeavoured to prove against Phenomenal Idealism that we are rationally justified in believing, on the testimony of sense-data, that there really *exists* a Material World, distinct from our perceiving minds.<sup>4</sup> Incidentally I distinguished between 'subjective' and 'simple' conscious data, and, again, between 'objective' and 'extended' or

<sup>1</sup> I. E. RECORD, June, pp. 612, 620.

<sup>2</sup> How can a reality which is called—and admitted to be—a *noumenon*, i.e., an *objectum intelligibile* or *intellectum*—an *intelligible* or *understood object*,—be simultaneously held to be 'unknowable'? It is, of course, unknowable to *sense*, but Kant has never shown that it is unknowable to *intellect*; nor has he ever given any valid reason why we should dignify the lower revelation of the world of material phenomena to the mind with the name of 'knowledge,' while refusing this name to that higher and at least equally irresistible revelation of those higher 'noumenal,' realities—God, the Cosmos and the Soul or *Ego*—to the same individual 'self' or mind.

<sup>3</sup> I. E. RECORD, April, p. 412; May, pp. 483, 487; June, pp. 620, 621.

<sup>4</sup> *Ibid.*, August, 'Appearance and Reality.'

'spatial' data; observing that it is the 'otherness' or 'objectivity' rather than the 'extensional' character of a Material Universe we have to defend against phenomenists. But it is no less impossible to evolve a 'derived *otherness*' from a primitive '*subjectivity*' than to evolve a derived 'extension' from a primitive 'non-spatial' percept.<sup>1</sup>

(i) Phenomenal idealists avoid Solipsism only at the expense of abandoning their postulate that *Mind can know directly only its own states*.<sup>2</sup> Their vehement assertions that they are misrepresented by realists and that they never denied the reality and otherness of other minds and bodies than their own—raises a doubt as to whether the difference between the two theories is one of words rather than of ideas; especially in view of the fact that realists, too, must admit some true sense in the assertion *cognitum est in cognoscente*. But *union* is not *identity*, nor does *real distinction* imply *isolation* or *separation*.<sup>3</sup>

(j) The first thesis I endeavoured to establish against the phenomenist was this: that when the plain man interprets his sense-data to imply that 'there really *exists* a material universe really distinct from his perceiving mind,' he interprets these data aright: his interpretation is rationally justified on mature reflexion: there *does exist* such a universe.

(k) This thesis I have endeavoured to prove by finding a common ground of agreement with idealists in the reality of the internal fact of a division or partition of our conscious data into two great contrasting series<sup>4</sup> of states; and by arguing from this common ground, by an appeal to the Principle of Causality, to the conclusion that such facts cannot be *rationally* explained otherwise than by the recognition of an extramental, Material Universe, existing independently of our minds, and causing—partially—our conscious states.

<sup>1</sup> I. E. RECORD, August, p. 119 *et passim*.

<sup>2</sup> *Ibid.*, p. 122.

<sup>3</sup> *Ibid.*, pp. 123-126.

<sup>4</sup> *Ibid.*, pp. 127, *sqq.*

(l) But what becomes of our argument if the Concept of Cause and the Principle of Causality and all other similar concepts and principles have been themselves derived by us exclusively from the native, purely subjective equipment of the mind? In such an hypothesis are they not useless as means of transcending the phenomenon and reaching the extra-mental?<sup>1</sup> So Kant thought. The difficulty thus raised by him will be discussed in a future article.

(m) Before, however, we thus finally decide whether the use we are making of such principles is legitimate, we must see a little further in the present article how much exactly in the way of *intellectual* knowledge about the *nature* of the Material Universe we may hope to obtain by means of them.

### III.

In my last article I did not attempt to prove explicitly any more than the *real existence* of a material world, distinct from the perceiving mind.<sup>2</sup> As I then pointed out,<sup>3</sup> however, realists claim that we can know something also about the *nature* and *properties* of matter: not merely that extension, impenetrability, motion, sound, colour, heat, taste, etc., are something *other than* modes of consciousness, something *distinct from* the percipient mind but that they are realities *distinct from one another*, producing in our sense consciousness cognitive states which we call hearing, seeing, touching, tasting, feeling warmth, etc.; from which states we argue intellectually by the same Principle of Causality to the nature of these external material realities; inferring that they are 'accidental qualities or properties or energies' by means of which the material substance reveals itself to us by acting on our sense faculties. The line of argument is precisely the same as in establishing the *existence* of these realities: only that in dealing with their *nature* there is more room for ambiguity on account of the same terms being used to describe

<sup>1</sup> I. E. RECORD, p. 130.

<sup>2</sup> *Ibid.*, p. 114.

<sup>3</sup> *Ibid.*, p. 115.



the *cognitive* or *perceptive process* and the *object perceived* by that process<sup>1</sup>; and also more danger of confounding the *sense-intuition* of extension, space and all the other properties of matter—an intuition which is the same for all normally constituted individuals—with the *reasoned conviction* as to the *nature* of these separate and distinct realities: the conviction that they are *properties* inherent in the material substance.<sup>2</sup>

## IV.

It is usually contended (a) that we can know more, and with firmer certitude about the objective reality of the *primary* qualities (or *common* sensibles: extension and its various modes) than of the *secondary* qualities (or *proper* sensibles: colour, sound, taste, smell, heat, cold, surface pressure, etc.); and (b) that the former exist in some more real or actual way in the extramental, material, reality—more independently of the knowing mind—than the latter do.

The former contention (a) is firmly grounded upon the fact that information about the *primary* properties reaches us through different and independent channels of sense while each of the *secondary* properties reveals itself through one channel only. But that the primary properties exist in any more 'actual' state in the extramental reality than the secondary (b) I confess myself unable to see. The authority of Aristotle is claimed for this view by those who subscribe to it. It is not quite clear to me that the claim is a just one. Did Aristotle, by saying that the 'proper' sensibles exist only *virtually* (ἐν δυνάμει) when unperceived by our senses, and *actually* (ἐν ἐνεργείᾳ) only when perceived, mean to insinuate that the 'common' sensibles existed any otherwise than as 'powers,' potentially or *virtually*, when unperceived? I do not believe that he did: for, apart from, and over and above their being actually perceived by our senses, they are *all alike* appre-

<sup>1</sup> See note below (p. 280), on Berkeley's Immaterialism.

<sup>2</sup> See, for example, Maher's *Psychology*, pp. 159-162.

hended by our intellects as 'powers,' 'agencies,' etc., capable of arousing those sentient states of consciousness in us. Yet he seems to be interpreted as implying that *extension* and its modes when out of all actual [sense-perception have some grade or degree of 'actual' existence to which (unperceived) *tastes, colours, sounds*, etc., cannot lay claim: these latter having in their unperceived state only a 'virtual' existence. Thus Father Maher writes<sup>1</sup>:— 'Neither lights nor sounds nor odours would exist in their proper signification *as actualities* if all sentient beings were withdrawn from the universe; but they would remain *as potencies* ready to emerge into life when the recipient faculty appeared.' Quite so; they would not be *perceived* actualities; they would be only *perceivable* actualities; entities *capable* of being perceived; *in potentia*, to be perceived; '*potencies*' in regard to perception by any 'recipient faculty' that would appear on the scene. But is not precisely the same thing true of the *primary* qualities, *extension* and all its modes?

## V.

Again,<sup>2</sup> we read: 'The doctrine that colours, sounds, and the various *secondary* qualities do not exist *in objects* as they are *in the mind* has been often cited as a modern psychological discovery.' Is it here implied that *primary* qualities *do* exist *in objects* as they are *in the mind*? Or does not the question of the likeness or unlikeness of a material quality 'as in consciousness' or 'in the mind' with that quality 'as it is in the object'—imply an attitude fundamentally opposed to the realist doctrine—so ably defended by Father Maher himself<sup>3</sup>—of *immediate* sense perception of the objective reality? The question whether these qualities, be they primary or secondary, are *like* or *unlike* the states of sentient consciousness which their perception arouses in us, has a meaning indeed for Locke,

<sup>1</sup> *Psychology*, p. 159.

<sup>2</sup> *Ibid.*, p. 159, *italics* mine.

<sup>3</sup> *Ibid.*, pp. 98-108.

Berkeley,<sup>1</sup> and those who with them accept the Idealist assumption that the direct and immediate object of perception is the subjective, mental, conscious state;<sup>2</sup> but it can have no intelligible meaning for the realist who defends the view that the immediate and direct objects of his conscious sense-perceptions are *the extramental realities themselves*.

A few pages further on<sup>3</sup> we are told that

. . . the primary attributes . . . [are] . . . independent of the nature of the sentient faculty, inherent in material objects apart from their perception by the knowing spirit. We are assured that, although the realization of the secondary qualities requires their presence of the sentient faculty, yet the most important part of the meaning of the primary attributes holds in its absence: we see that while perception is essential to the one it is accidental to the other.

I confess I fail to see how this is so. I believe that the *extramental reality* of the *roar* of a cataract is no more influenced—increased or diminished—by the presence or absence of sentient beings to *hear* it, than is the *mass* or the *volume* of the water itself, by the presence or absence of sentient beings to *see* or *feel* or *weigh* or *measure* it.

The realist's attitude on this whole question I conceive to be this: that by their *direct* and *immediate* action on his mind these realities excite in him conscious states, each of a certain tone or character or quality: that in this way they reveal themselves to his sense-consciousness, and that his sense knowledge of them goes no farther: that by later *intellectual* interpretation of these internal facts he gives

<sup>1</sup> See note below, p. 280; cf. Ruyssen, *Kant*, pp. 104, 105.

<sup>2</sup> *Ibid.*, p. 154. It is sometimes contended, for instance, that the material energy or property which we call 'redness' cannot in its own external reality (being an undulation of the ether) be in any way like 'our sensation of redness.' This shows a deplorable confusion of *sense-perception* with *intellectual perception*. The *same reality* which we call 'redness' on account of the definite state of *sense-consciousness* aroused in us by the vision of it, we call 'a property of matter,' an 'active quality,' an 'energy,' a 'wave-motion,' on account of the concepts, judgments, inferences, theories formed by our *intellects*, reflecting on the data which that reality furnishes to those intellects through the medium of sense-consciousness. See below, p. 279. Cf. Rickaby, *First Principles*, p. 284.

<sup>3</sup> p. 161.



distinctive names to each of these *immediately presented sense-data*, or objects of sense-consciousness, according to the qualitatively different conscious states which they have aroused in him, such names as 'colour,' 'hardness,' 'size,' 'distance,' 'space,' 'motion,' 'time,' 'sound,' etc., that he infers by the Principle of Causality that these realities *exist* independently of him, that they *act* upon him, that they are necessarily *of such a nature* as to be capable of arousing in him those qualities or modes of sense-consciousness which they do actually arouse in him, in other words, that they are *substances, agents*, endowed with *energies* or *powers* or *qualities*, which, as revealed to sense-consciousness, he has identified by the names of 'matter,' 'body,' 'extension,' 'colour,' 'taste,' etc. That is to say, a number of external realities reveal themselves to him through such diverse modes of *sense-consciousness* as oblige him to call them by distinct names (the names of the *proper* and *common* sensibles), and also reveal themselves to him through *intellectual* interpretation, judgment, inference, as 'substances,' 'causes,' 'agents,' 'energies,' 'properties,' and so on. The same identical reality which he knows to be 'redness,' through the *sentient-conscious* state it arouses in him, he knows *intellectually* to be an *extramental material energy* through which the material substance is capable of exciting in him the said *sentient-conscious* state. So also the same reality which he calls 'distance,' 'room,' 'space,' by reason of the quality of *sense-consciousness* it arouses in him when he moves along the earth or looks into the expanse of heaven, he knows *intellectually* to be some *capacity* of the extramental material reality to arouse in him the state of sense-consciousness referred to. What he knows *intellectually* by the Principle of Causality, about the *nature* of these qualities—whether revealed through one or many channels of sense—amounts to this simply, that they are '*virtutes*,' '*vires*,' '*potencies*,' '*powers*,' '*forces*,' '*energies*,' etc., capable of arousing in him, by their action on his senses, certain *sentient-conscious* states.

This conclusion expresses perhaps all the truth there

is in the doctrine of the Kantian Categories: the truth, namely, that the *understanding*, by reflexion on the data of *sense-consciousness*, comes itself into conscious possession—not of twelve or fourteen but of quite a considerable number of *concepts* by means of which he *interprets* these data *intellectually*, predicating about them, for example, such concepts as ‘red,’ ‘loud,’ ‘large,’ ‘distant,’ ‘slow,’ ‘sweet,’ etc.; or again such concepts as ‘substance,’ ‘quality,’ ‘cause,’ ‘action,’ ‘influence,’ ‘agent,’ ‘energy,’ etc.; or finally such concepts as ‘spirit,’ ‘matter,’ ‘finite,’ ‘contingent,’ and the like.

P. COFFEY.

#### NOTE ON BERKELEY

Berkeley seems to be peculiarly open to the charge of mis-using language; for he (though inconsistently with his idealist assumption) admitted the real *objectivity* or *otherness* of the material world—its real existence independent of the individual perceiving mind—while denying its *materiality*. His reasoning runs somewhat in this wise: ‘Whatever is an object of cognition is in the mind: whatever is in the mind is mental: like can be known only by like: therefore what we call the material world is not material for if it were it would be so *unlike* mind that it could neither act on mind nor be known by mind. Yet it is really distinct from the individual’s perceiving mind; for the individual is *passive* in sensation; he is *influenced*, *acted on* by *causes*, realities independent of himself. These realities, therefore, since they cannot be material, must be mental realities: they are therefore *ideas*, of which my mind and other created minds have a direct intuition, our knowledge of them being the direct product of the action of the Divine Mind on us, created minds.’

Now, whatever we know *intellectually* about the *nature* of the material world we know by precisely the same reasoning as we have used to prove its *otherness* or *real distinction* from the knowing mind.<sup>1</sup> Its reality—whatever kind it may be—will not be made one whit more ‘like’ or ‘unlike’ our perceiving minds by giving it new names. Let it be as ‘unlike’ mind as you please to imagine, it is at all events *something which reveals itself to our mind by arousing in us certain qualities*

<sup>1</sup> *Vide supra.*

or states or kinds of sense-consciousness—sensations of sound, colour, warmth, etc. We mean *just this exactly* by describing this objective reality as 'material,' 'extended,' 'coloured,' 'solid,' 'warm' and all the rest. That material 'objects' are *real*; that they are *objective* in the sense of having an existence or reality independent of their *actual perception* by any individual *created* mind, that they *do* arouse in the individual mind those various qualities of consciousness: all this Berkeley admits. All this, however, is just what we mean by calling those realities 'material,' etc.; and hence I fail to see how it would serve any useful purpose to drop the universally recognized language hitherto used to express this meaning.

The argument that 'these objects are not material, for, if they were, they could not be perceived by mind' is simply unmeaning, for it is only to realities which *can be*, and *are de facto* perceived, that we give the name 'material.' The term 'material' *implies* if it does not actually *signify* 'perceived' or 'perceivable.' Surely the difficulty of understanding how mind can 'perceive' 'extended or material reality' is no greater than that of understanding how mind can perceive *any* 'objective' or 'extramental' reality, '*other than*' itself.<sup>1</sup> Yet Berkeley 'transcends' his own consciousness, by asserting the existence of 'other' beings, in defiance of the latter difficulty (and of his own idealistic assumption that he can know *only* 'his own conscious states') while he feels himself forced by the former difficulty to deny to those 'other' beings that very 'materiality' through which alone they revealed their existence to him!

I am aware, of course, that it is because the term 'matter' (with all the terms descriptive of its properties) conveys to the ordinary mind, even though it may not include in its signification proper, the notion of a *reality distinct from all mind whether created or divine*, that Berkeley refused to call the objective cause of his own conscious states 'material.' He denied that that cause of his sensations—which men commonly call, and will continue, in spite of all idealists, to call 'matter'—had any reality or existence distinct or apart from the Divine Mind, and he was, I presume, anxious to avoid the charge of materializing the Deity.

If the reality (or collection of 'realities') which is known as the 'Material Universe,' and which Berkeley's mind became aware of in sense-consciousness, were interpreted by him to be only a 'state' of his own thinking spirit he could never

<sup>1</sup> Cf. I. E. RECORD, May, p. 484.



emerge from Solipsism. If, however, it were a system of *spiritual* entities as he really believed it to be, viz., *created* minds like his own, filled by the *Divine* Mind with those 'appearances' or 'phenomena' or 'ideas' (which constitute for each created mind the 'Material Universe'); then he stands convicted either of the inconsistency of admitting the existence of 'other minds' while denying the existence of 'other bodies'—through the knowledge of which, alone, the knowledge of 'other minds' can be reached;—*or* of identifying things which he had already admitted to be distinct, viz., the 'perceived material objects or appearances' and the 'perceiving minds' (simultaneously calling the bodies minds and calling matter spirit); *or else*, finally, of confounding *all* material things, all created bodies, and hence, too, all created minds, with the ideas in the Divine Mind itself.

Since, however, he, *de facto*, preserves and defends the *real distinction* of created minds from the Divine Mind he cannot be justly accused of Pantheism. He has been charged with practically denying the Divine Veracity and with making human knowledge one vast illusion; but I think that, as in the case of Taine's 'true hallucination,'<sup>1</sup> the more correct charge against Berkeley on this score would be that of playing fast and loose with human language, of imagining that he could convince mankind that the objects of their sense-perception were of a totally different nature from what mankind commonly believed them to be, and that he could do so merely by giving those objects a different set of names or reading a new meaning into the old ones!

P. C.

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<sup>1</sup> I. E. RECORD, August, p. 115, note.

## DAVID'S LIFE A KEY TO THE PSALMS AND VICE VERSA

WITH the Hebrews, poetry was chiefly of two kinds: lyric and didactic. Of these the lyric occupies by far the foremost place. The Semitic races, as far as we can know now, had nothing approaching an epic poem, and in proportion to this defect the lyric prevails more commonly. It would be entirely outside the scope of this paper to go into the much-disputed question of Hebrew verse. Volumes have been written upon it, but the result may fairly be summed up in the old Latin epigram—*tot hominum quot sententiae*. Suffice it to say, here, that lyric poetry (in which the Psalms were written) commenced in Mosaic or even pre-Mosaic times, flourished in rude vigour during the period of the Judges, 'growing with the nation's growth and strengthening with its strength,' until it found its highest excellence in David, and then began to decline slowly but surely.

*Poeta nascitur, non fit*, and so it was with David. Born with a poet's genius, he had already practised his calling while he tended his father's flocks on the slopes of Bethlehem. It is evident also from the fact of his being fetched to charm away the evil spirit from Saul in his fits of gloomy melancholy and temporary insanity, that he was no mean proficient on the harp. It is more than probable he perfected his natural gifts by careful study, for we find him in close contact with Samuel and his school, who were poets and musicians of a high order. And well did the art he had thus acquired and perfected stand to him in after life, for it was his sole remaining joy in his flight from Saul and Absalom and his other enemies, when he waked its chords to those feelings of despair and despondency so prevalent in the Psalms.

Its music was heard in the throne of Israel as well as in the cave of Engaddi. We have psalms written by him which date from all the periods of his life—from his shepherd youth

to a short time before his death. And what is of vital importance to us is that his life and character are reflected in his poetry in such a way, that the external circumstances under which many of the psalms were written give us a key to their meaning, and a force to the expressions occurring in them which otherwise would be meaningless. While other psalms throw a wonderful light on the character of that man in whose words, more than of any other individual, incense is offered to the Almighty, and who, for this very reason, must always be a subject of interest to us.

We have often great difficulty in determining to what particular period or turn of David's chequered fortune, this or that particular Psalm applies. Nevertheless, the truth holds good that it is impossible to read them and not see that they are tinged by the recollections of his life. The matter will be made clearer by a few examples. Look, for instance, at Psalm cxli. *Voce mea ad Dominum clamavi*. Going through this we might very naturally conclude that it was written when David was sorely oppressed by his enemies, but what a world of light is thrown on the expression *Educ de custodia animam meam* by the passage in 1 Kings xxv., where we are told that Saul took three thousand men to look for David, and that he actually went into the cave where the future king lay hid. With the help of this search-light how truly can we appreciate *libera me a persequentibus me, quia confortali sunt super me*, and, *Tu (Domine) es spes mea in terra viventium*. Again, let us take Psalm lix., *Deus repulisti nos*. It must surely have struck the least curious of us to ask ourselves what is the meaning of *Meus est Galaad, et meus est Manasses . . . quis deducet me usque ad Idumeam*? But we gather the solution of the mystery from 2 Kings viii., namely, that while David was attacking the Syrians in the north-east, the Edomites took advantage of his absence and made an irruption on the south, whereupon he despatched Joab to meet them. The meaning of the expression, therefore, is, Galaad is mine, and Manasses is mine (both being delivered from the Syrians) the question now is, who will bring me to Edom? We might naturally think that David's pastoral life would give a



colouring to some of his psalms ; and so it has. Take Psalm xxii., *Dominus regit me*, or, as it should be according to the Hebrew, *Dominus pastor meus est*. He who there speaks so touchingly of God's care under the figure of a shepherd had himself known what it was to tend sheep, and it is only one who understands what the Syrian shepherd was, that can realize the infinite tenderness expressed in the psalm.

Beneath the Syrian sky [says the Protestant Robertson] there grows up between the shepherd and his flock a union of attachment and tenderness. It is the country where, at any moment, sheep are liable to be swept away by some mountain torrent, or carried off by hill-robbers, or torn by wolves. At any moment their protector may have to save them by personal hazard. And thus there grows up between the man and the dumb creatures he protects, a kind of friendship. Alone in those vast solitudes, with no human being near, the shepherd and the sheep feel a life in common. Differences disappear, the vast interval between the man and the brute : the single point of union is felt strongly. One is the love of the protector, the other the love of the grateful life ; and so, between lives so distant, there is woven by night and day, by summer suns and winter frosts, a living net-work of sympathy. The greater and the less mingle together, they feel each other. The shepherd knows his sheep and is known by them.

With what wonderful truth is the principle I am contending for vindicated by this single example. Interpreted in the light of a northern shepherd's duties this psalm means nothing, but when we know the relation that existed between an Eastern shepherd and his flock, then, and only then, can we realize the tenderness of the Good Shepherd who bends lovingly over us—infinately below Him though we be, how He knows the name of each, and the trials of each, how He thinks for each with a separate care, and gave Himself for each with a love as personal as if in the wide world's wilderness there were none but that one. One other example and I have done. In Psalm xvii. the Almighty is, according to the original, three times addressed as a rock ; David thanks Him for having set him in high places, that He has not allowed his feet to slip, but has made them like those of harts. Now, what meaning does all this convey to us as

it stands ? Absolutely none. But when we know that this psalm was composed when he was hunted by Saul and took refuge among the crags and cliffs of Palestine, then we see the special force of these epithets. As he had run away from his pursuers by swiftness of foot, so he thanks God that He made his feet like those of the harts that he had so often seen bounding from cliff to cliff before his very eyes, and how natural is his praise and thanksgiving for being set in ' high places ' beyond the reach of the enemies' arrows. I might go on multiplying these examples *ad nauseam*, but I am sure I have said enough to show that for the understanding of the epithets, similes and metaphors of the Psalms we must understand the circumstances of David's life. It will be seen from what has been said that those sacred songs of Sion are full of allusions to sufferings, distress and persecution, and that they abound with complaints of the infidelity of his own dear friends, of the wickedness of enemies, of snares laid for his life, of constant perils and extraordinary deliverances. Expressions such as these might well, indeed, come from David's lips, but you will remark that they are always general and not special. Neither Achitophel nor Doeg nor Saul is mentioned. Rarely have we an allusion that we can connect with one event of his life rather than another. In his lifetime David was a shepherd, a courtier, an outlaw, a warrior, a poet, a musician, a king and a saint. He is all these in his psalms likewise, but we can lay hold only of a few that show him as one of those *dramatis personae* rather than another. The inference from all this is obvious but of very far-reaching importance to us, namely, that the Psalms were intended by Divine Providence not to be the history of a particular life or lives, but to be the prayer, the consolation and the hope of all those who, in circumstances totally different, wished to speak to their God, whether in sin, in sorrow or in joy. And surely the value of this remark is enhanced when we consider the action of the Church towards them. They are the ever-opened manual of that numberless army of men and women throughout the world who have devoted themselves to God under her fostering care. How wonderful,

therefore, is the Providence of God which has excluded from the Psalms all reference to particular persons and things which could be of passing interest only, while we can find in them, in language that can never be equalled, those sublime sentiments of remorse, sorrow, joy, hope and love which must ever hold a place in the human heart as long as God is our Creator and we His creatures. David and he alone could have said, *Doeg vel Saul vel Achitophel insurrexit adversum me*, but where is the Christian that cannot say every morning with painful truth, *Alieni insurrexerunt adversum me, et fortes quaesierunt animam meam*?

We now come to the other portion of our paper. All we know of David's life is what is contained in the first and second Books of Kings, and the first of Paralipomenon. But who can read these without feeling that the account is very imperfect? This biography, indeed, leaves us under no doubt as to the greatness of his faith and the keenness of his remorse. But the Psalms carry us much farther. By the help of these we see him, as we see few men, exactly as he stands before God. They bear the same relation to David's life as do the *Confessions* to Augustine or the *Apologia* to Newman—they are the X-rays focussed on David's heart. If we had only the story of his life as given in the Books of Kings, how vague would be our knowledge of the saddest page in his history—when his conscience was stained with the frightful double crime? The recorded confession is simply one word *peccavi*, but what a light is thrown on this period by the Penitential Psalms. What heart-felt penance is revealed in the words of the sixth Psalm, 'I have laboured in my groanings, every night I will wash my bed, I will water my couch with my tears. What a keen knowledge of sin, not only in act but in its root—a sinful nature—in the acknowledgment, 'Behold I was brought forth in iniquity, and in sin did my mother conceive me.' What a yearning for a clear conscience in the earnest pleading 'Create, O God, a clean heart in me, and renew a right spirit within my bowels.' What a clinging, as of a drowning child to its rescuer in 'Cast me not away from Thy presence and take not Thy holy spirit from



me.' What a sense of joy, hope and reconciliation in 'Blessed is the man to whom the Lord had not imputed sin, and in whose spirit there is no guile.' And what a firm *propositum* for the future have we in 'Depart from me all you who work iniquity, for the Lord hath heard the voice of my pleading.'

But not only does David's life shine forth in his psalms, but his character also. And that character was certainly no ordinary one. Had he belonged to any other nationality except the Jewish, his life would most certainly have been made the subject of an epic poem or a tragedy. It is a life brimming over with romantic incidents, and the latter portion of his history could have formed the groundwork of a tragedy equal in pathos, and infinitely superior in interest, to any which the great masters of Grecian drama have left behind them. Renan<sup>1</sup> accounts for the absence of anything like drama or an epic among the Jews on the grounds of their having no mythology. But surely this assertion is not worthy of serious consideration. For if the existence of a mythology were a necessary condition that drama should prosper, you could have no such thing among Christian nations as a tragedy or comedy, and Milton's *Paradise Lost* and thousands of others could never have been written. Besides, why go to Olympus for material, if better could be found nearer home; and surely, as I have pointed out, such a one was David? No, if we are to account for the absence of anything like Drama amongst the Jews, we must ascend to a higher cause than does the flippant author of the *Vie de Jesus*, whose forte was fancy and not fact. And that cause was Divine Providence. The Hebrew poets and prophets were not allowed to indulge in personalities as such, or make their national heroes the subject of their compositions. The one true God, and the Messiah He was about to send, formed the subject of their writings; and everything they penned, whether in prose or verse, was co-ordinated to these two great central ideas; hence Solomon's thousand songs (which

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<sup>1</sup> See Smith's *Dictionary of the Bible*, Art. 'Hebrew Poetry.'

were most probably of a secular kind) have not come down to us, notwithstanding the author's fame. Hence, though David's life and character were never held up to the mirror of the drama for the reasons I have given this fact should not lessen our interest in him. His character, as I have said, was no ordinary one, for in it we find blended together all the strength of man and all the softness and tenderness of woman. That he was naturally warm-hearted and endowed with great personal attachment to his friends, we find illustrated in his love for his parents, for his wife, for Jonathan, and for his beloved child Absalom, whose death well-nigh broke his heart. On the other hand, his sense of injustice was extremely keen ; and for evil men and everything opposed to God, he could find no hatred too deep, no imprecations too strong. The Psalms also show him as a man of true courtesy, ready to pardon, and chivalrous towards his enemies. The sixty-second Psalm in particular brings out beautifully the two sides of David's character. The same depth of love and tenderness which was poured out in his elegy over Jonathan, but which we may well suppose was merely natural, we find here elevated and supernaturalized as he addresses the Almighty. This is the first portion of the Psalm. The other is quite a contrast by reason of its abruptness. In it the old stern warrior lives again. He utters vengeance against his enemies, he hopes that they shall die, and their corpses be food for the wild foxes of the desert.

Thus long have I lingered over David and his psalms, but let the subject itself be my Apologia. The finest intellects that were ever created from Augustine and Jerome down to Ozanam and the author of *Under the Cedars and the Stars*, have spoken in the most glowing terms of their transcendent beauty ; but to us they are cold, insipid reading, because we have not studied the *setting* of those heavenly gems, and because, perhaps, above all, we have failed to study the life of their great human author, whose extraordinary fortunes and chequered career shine forth in almost every one of them.

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## THE TABERNACLE IN THE MIDDLE AGES

**I**F any of us nowadays were asked what was the dominant idea in our minds connected with the Blessed Sacrament reserved on the altars of our churches, we should doubtless reply that of adoration. To us it seems evident that our Blessed Lord remains enshrined within the tabernacle in order that the children of His Church may be enabled to pay due worship to Him in the wonderful mystery of His Eucharistic presence. We are well aware, of course, that the Sacred Host is reserved for the communion of the sick and also for ordinary communicants both in and out of the time of Mass, but the uppermost idea in our minds connected with the tabernacle is the conception of the Real Presence therein, and of the worship due to it as such. To every Catholic each church is the 'home of the Blessed Sacrament,' and the first object that strikes his eyes on entering one of our churches is the tabernacle with its ever-burning lamp. To us this state of things is so natural, so much a part of our faith, that it seems indissolubly bound up with the very idea of Catholicism, and we could not imagine Catholicism without it. Yet, from a merely historical point of view, it is a fact that this conception of the Blessed Sacrament reserved is only the final result of a gradual process of development in devotional feeling—a process that has culminated, only in comparatively modern times, in the union of altar and tabernacle, sacrifice and sacrament, which in the early ages of the Church, and for many centuries after, were entirely distinct from one another.

That this is true is shown us in the practice of the Church with regard to reservation, not only in the earliest times but all through the medieval period. To modern Catholics, accustomed to the great prominence given to the tabernacle, placed as it is in the very 'Holy of Holies,' on the altar of sacrifice itself, the attitude of the medieval



Church seems to be one almost of indifference, if not of actual irreverence. Instead of being the foremost object in the church, the Sacred Host was hidden away in the sacristy, or if kept in the sanctuary, was placed on one side of it—thrust away in a corner, as it seems to us now. But the fact is, we do not realize the extent to which we are influenced in our judgments by the ideas and appreciations of the times we live in. If we wish to understand the attitude of medieval Catholics towards that which was, equally with them as with us, the 'Mystery of Faith,' we must try to look at things with their eyes and not read back our own ideas into the past.

In a case such as this, it is very necessary to distinguish carefully between dogma and religious sentiment or devotion. It is this religious sentiment in her children that has so greatly influenced the Church in the development of her liturgy and discipline, and that has been the chief cause of the changes in these matters which succeeding centuries have witnessed. It is not that the doctrine of the Real Presence in the Holy Eucharist was different then to what it is now—it has ever been the same since the very beginning of Christianity. It is not a question of doctrine itself, but of the various aspects of doctrine that have come to be more clearly recognized as the Church has grown older. In the Middle Ages, the idea connected with the reservation of the Blessed Sacrament was not, as it is now, that of worship, but of viaticum, just as in the early ages of the Church. Even after the institution of the feast of Corpus Christi, and the expositions and processions of the Blessed Sacrament to which it gave rise, this still remained the exclusive object of reservation.

It is true that the institution of the feast, and the rise and spread of these pious practices, did much towards promoting and fostering devotion towards that aspect of the Holy Eucharist which concerns the Real Presence in itself, apart from the sacrificial aspect. Nevertheless, it had little or no influence upon the methods of reservation and the ideas connected with it, till many a long year afterwards. To the faithful of the Middle Ages, as to

those of the earlier periods of the Church, it was in the great Sacrifice of the Altar, as containing in itself the chief motive for the presence of the Incarnate Word, that devotion to the Blessed Sacrament found its full expression. They adored the Divine Victim, truly present indeed, but present in order to be sacrificed for them. In the tabernacle, such as it then was, they saw preserved the precious remnants of that Sacrifice in order that the sick, unable to be present at the actual oblation, might not be deprived of their share in the Bread of Life. In saying that in those days the object of reservation was to provide for the communion of the sick, we expressly distinguish between this and ordinary communions. In those times even the devout communicated but four or five times a year, and on certain great feasts. The parish priest would know the number of his intending communicants on each occasion, and would consecrate the required number of particles during the Mass. It remained for a later age—an age of increasing coldness in faith and piety, of heresies directing their attacks against this most sacred of the Church's doctrines—to see the growth of a devotion directed more specially to the Real Presence in the Holy Eucharist.

This devotion was encouraged by the Church as an antidote to the attacks of heresy and as an incentive to the faith and love of her own children. These things, however, were rather the occasion than the cause of this growing devotion to the Sacramental Presence of our Lord, it was, properly speaking, the result of a more perfect realization of all that the doctrine of the Holy Eucharist involves. As ages pass by, the varied phases and many-sided aspects of dogma gradually unfold before the eyes of the Church, and that which is not clearly recognized in one age becomes so in another. So the Church of Christ ever continues to advance in the knowledge and appreciation of the Divine Deposit committed to her charge.

In the Middle Ages, as we have said, the Mass itself formed the sum of the Christian's devotion to his Euchar-

istic Lord. It was the sacrificial aspect that was then uppermost. This, no doubt, involved some loss to the devotion of the faithful and deprived them of many aids to devotion which our more perfect appreciation of the Divine Presence on our altars secures for us. But, on the other hand, it is perhaps equally true that the great prominence given nowadays to the Blessed Sacrament reserved may have taken somewhat from the full appreciation due to the Mass, to the sacrificial aspect, which, after all, is the primary reason for the Real Presence itself. One view often tends to obscure another, at least to some extent, and it may be that we, modern Catholics, have yet to advance in our appreciation of this great Sacrament, till we arrive at a truer balance between its varied aspects.

If we remember, then, the clear distinction that existed in the mind of the medieval Catholic between the Sacrifice and the Sacrament, it will not surprise us so much to find the place of reservation always separate from the altar and we shall realize that this in no way resulted from a want of reverence or devotion to that which has, in all ages, been the very life of the Church.

With regard to such usages themselves, we find that, speaking generally, the most usual place of reservation during the whole of the medieval period, was a small cupboard or recess either cut into the sanctuary wall or projecting out from it. This was closed with strong doors, sometimes with an iron grille as well for greater security. It was commonly situated on the Gospel side of the altar, more rarely on that of the Epistle. In some cases, the Aumbry, as it was called (in Latin, *armarium* or *amario-lum*) was placed in the east wall of the church, behind though quite separate from the altar.

Another method of reservation, and one that, to a certain extent, more nearly approaches to our tabernacle on the altar, was to hang the pyx containing the Blessed Sacrament, immediately over the high altar, by means of chains or strong silken cords, fixed under a little cone-shaped canopy of silk or cloth of gold, usually surrounded by a



crown of gold or silver, sometimes by three.<sup>1</sup> This little canopy was suspended, in large churches, from the great wooden or silken canopy that overshadowed the altar, in smaller churches often from a beam over the altar or from the roof itself. This custom seems to have been very general in France and England, but it is quite a mistake to suppose, as some have done, that it was ever the universal discipline even in these two countries. It would be impossible to lay down any law as to the universal discipline observed in the Middle Ages, with regard to reservation—such a discipline did not exist, for we find different practices in use at the same time, not only in one country, or one diocese, but even in one and the same church. For example, in the Collegiate Church of St. Julien de Tours, in France, the Blessed Sacrament was reserved in an aumbry in the wall, and also suspended over the high altar.<sup>2</sup>

All we can do is to indicate the most widespread usage, and this, we have said, was that of the wall-aumbry. Even in England and France, where the most prevalent mode seems to have been that of suspension over the high altar; we meet with many examples of these aumbries in both countries, and especially during the thirteenth century.

Again, in Germany and Belgium the latter form of reservation was always the prevailing one and also in Rome and throughout the whole of Italy where the hanging pyx never seems to have come into use at all. From whence the hanging pyx was derived, it is difficult to say. It is possible that it originated in the Eastern Church, where it is still to be seen in some churches, and was introduced into France, probably in the course of the sixth or seventh centuries, when Byzantine influences were so strong in many parts of the western world. From France, it was probably introduced into England, together with the many other medieval rites and practices which seem to have owed their origin to French or Norman prototypes.

<sup>1</sup> From the fact that the pyx, thus adorned, bore a certain resemblance to the triple crown worn by the Pope, the Reformers were accustomed to speak of it derisively as 'the Pope's Hatt.'

<sup>2</sup> *Historie Archéologique* par M. L'Abbé Jules Corblet.

With regard to Scotland, it is no easy matter to discover the prevailing usage. The Reformation did its work so thoroughly in that country that very little evidence on this point has been saved from the wreck of her ancient Church. The only references to such matters discoverable at present are of a very general character and enter into no details.

In the ordinances of the earlier Scottish ecclesiastical councils, it is merely prescribed that the Blessed Sacrament is to be reserved in a 'clean pyx' (*in mundo pixide conservetur*),<sup>1</sup> and in another place, that it is to be kept in a 'decent and safe place' (*in loco honesto et securo*).<sup>2</sup> But if documents fail us, we have evidence for the practice of at least a considerable number of Scottish churches during the fifteenth and sixteenth centuries, in the actual examples that exist, more or less entire, of the wall-recess or aumbry. These are found still existing in some of the old pre-Reformation churches in the northern parts of Scotland, and are known by the name of 'Sacrament houses,' a name that may have been derived from the German *Sacramenhausen*, of which we shall speak later.

The best-known examples of these 'Sacrament houses' are to be found in the following churches: the Franciscan Church at Elgin (lately restored by the Marquess of Bute), Pluscardyn Priory in Morayshire, the churches of Kinkell and Auchindoir in Aberdeenshire, and those of Cullen and Deskford in Banffshire. These examples are all of the sixteenth or late fifteenth centuries, but this need not necessarily prove that they were only then introduced in Scotland. The aumbry in the wall is a very ancient form of reservation, and these Scottish aumbries were probaly only the successors of earlier and cruder forms of the same thing.

Neither does the fact that these 'Sacrament houses' are the only examples remaining to witness to pre-Reformation Scottish custom with regard to reservation

<sup>1</sup> *Statua Eccles. Scotticanae*, Vol. ii. p. 33.

<sup>2</sup> *Ibid.* p. 57.

prove that no other custom was followed in that country. There is at least one example of a hanging pyx to be found in the account furnished us by the *Metrical Chronicle of Scotland*, of a raid on Melrose Abbey, made by the soldiers of Edward I. Among other deeds of violence the marauders desecrated the church, and laid violent hands on the Blessed Sacrament. In the words of the old chronicle: 'The silver Eucharist, be ane cord richt lang, above the altar in the kirk that hang . . . tha (they) pluckit down but (without) ony reverence.'<sup>1</sup> In other documents we come across frequent mention of the 'Eucharist' as a vessel to contain the Blessed Sacrament, but in these cases, as is evident from its description and the account of the use to which it was put, it was not, as in the passage quoted above, a hanging pyx for reservation, but what we should now call a monstrance, and was used for carrying the Sacred Host in processions on great feast days.

From this general outline of the varying modes of reservation in the Middle Ages, we see that whatever mode was followed, the Blessed Sacrament was always kept in a place distinct from the altar. In some places it was kept under the altar. Thus the statutes of Liege, in 1287, direct that 'the Lord's Body should be zealously guarded under lock and key, either in some becoming place beneath the altar, or in the *armarium*'—that is, the wall-aumbry. And at the cathedral of Notre Dame in Paris, the Blessed Sacrament was placed, together with the vestments, in a large cupboard, called the *conditoire*, under a small altar which stood behind the high altar. It was not till the disastrous era of the Reformation was drawing near, when altars and tabernacles alike were to be broken down and cast away as relics of idolatry in so many countries, that the old methods began to give way everywhere to that which has now become the only recognized custom throughout the Western Church.

As time passed on, the hanging pyx, in spite of its widespread use in certain countries, was found to be both

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<sup>1</sup> *Metrical Chronicles of Scotland*, Vol. iii., p. 255.



inconvenient and unsafe. During the thirteenth century, we find ecclesiastical councils and provincial synods decreeing that the Sacred Host is to be kept in a safe place under lock and key. For example, in England, the Provincial Synods of Canterbury, in 1280 and 1281, under Archbishop Peckham, direct that 'a tabernacle be constructed in each parish church with lock and key' (*cum clausura*) and the almost contemporary Synod of Exeter in 1287, prescribes for each parish church 'an immovable stone receptacle for the Sacrament' (*Sacramentarium lapideum et immobile*). Only half a century before the Council of the Lateran had directed that the Blessed Sacrament was always to be kept under lock and key for fear of sacrilege.<sup>1</sup>

In the fifteenth century, Lynwood, the great English Canonist, commenting on the constitution of Archbishop Peckham referred to above, says that the English custom of hanging the Blessed Sacrament above the altar in a canopy, still in general use in his time, was not one to be commended, since it was contrary to that constitution. Comparing it with the practices of the Churches of Holland and Portugal, where the wall-aumbry was in use, he condemns it as 'not praiseworthy in so far as It (the Blessed Sacrament) is kept in a public place where presumptuous hands may easily be put forth to seize it.' In the locked aumbry, It would, on the contrary, be secure from all sacrilege. In France, in the year 1457, the Bishop of Grenoble ordered that in his diocese, the reserved Sacrament was henceforth to be kept in an aumbry in the wall of the church, which was to be lined with wood and to have a strong door with lock and key.<sup>2</sup>

At that time it seems to have been customary, in some parts of France, to keep the Blessed Sacrament in a small portable casket, which was placed on the altar during the celebration of Mass, and was then removed again. This practice the bishop objects to, and recommends the safer aumbry instead.

<sup>1</sup> Concil. Lateran. iv. c. 20. (Hardouin, vii. p. 35).

<sup>2</sup> *Historie Archéologique*, par M. L'Abbé Jules Corblet.

These instances must not, however, be looked upon as examples of the origin of the aumbry ; they are rather to be considered as attempts to make general a mode of reservation that had been already observed for centuries in some places, and which has been thought to be the most ancient usage of all. That these efforts do not seem to have met with any great success, at least for some time, need not surprise us when we remember the tenacity with which local customs so often holds its own against general law.

But in the fifteenth century, the revival and spread of the aumbry met with greater success, and was warmly approved by the authorities of the Church. In Italy especially, many very beautiful examples were newly erected, and these seem to have sometimes furnished the model on which those of other countries, notably Scotland, were formed. But in course of time the aumbry, too, was doomed to the same fate as the hanging pyx. Disadvantages were not found wanting even here, not the least of which was that of damp to which a recess sunk in the outer wall of the church would often be liable. This seems to have led to the later invention of the ' Sacrament houses ' (*Sacramenthäuser*) in Germany and the Low Countries. Here we have the possible origin of the name by which the Scottish aumbries of the fifteenth and sixteenth centuries were known—a name dating, it may be, from the period when intercourse between Scotland and Germany was so frequent. The foreign ' Sacrament houses,' however, differed considerably from those of Scotland. The latter were mere cupboards cut into the wall, or but slightly projecting from it, the former were great structures, completely detached from the wall, although standing close to it, and frequently rose to a considerable height from the ground. They were adorned with pinnacles and crockets—the roof rising in the form of a church-tower or spire—with sculptures and figures of angels and saints, emblems and representations of the Blessed Sacrament, and of the Passion, and all that the devout medieval mind could devise to show honour

to the Sacred Treasure contained within. Many examples still exist, chiefly in Germany, and in certain churches still remaining in Catholic hands they are used for their original purpose.

Such splendid structures as these were, however, only possible in the larger and wealthier churches, and this, together with other objections that became more and more apparent in the old arrangement, gradually paved the way for that of modern times.

At a time when the communions of the faithful in general were few and far between, and took place at regular stated times, and when the only object of reserving the Holy Eucharist was to provide for the communion of the sick and dying, the wall-aumbry or the Sacrament house served the purpose sufficiently well. But towards the end of the sixteenth century, the practice of frequent communions at uncertain times began to increase and the inconvenience of a tabernacle separate from the altar was increasingly felt. Accordingly the custom was introduced of providing a receptacle for the reserved Sacrament immediately upon the altar itself, so that the priest might always have a sufficient number of hosts at hand in case of communions.

This custom once introduced, soon spread abroad, but it did not succeed in abolishing all at once the aumbry or 'Sacrament house,' especially in the smaller, obscurer churches. In some churches the two forms of reservation even co-existed and it is interesting to note that the tabernacle on the altar was connected with the idea of ordinary communions in the Church itself, while the aumbry or Sacrament house was retained for its original purpose of providing for the communion of the sick. In an article in the *Downside Review*, Mr. Edmund Bishop gives an interesting example of this transition stage between the old way and the new. In the parish church of Neisse in Silesia, the large host for the weekly procession of the Blessed Sacrament on Thursdays and the hosts for the sick were reserved in the 'Sacrament house,' apart from



the altar, while those for ordinary communicants were kept in a tabernacle placed on the altar itself.<sup>1</sup>

This change in discipline it was that gradually brought about the devotion directed specially to the Blessed Sacrament reserved, which is so marked a feature of modern days. It is easy to see how the tabernacle once established on the altar, and in most churches on the principle altar, would soon become the most prominent object in the church. The fact of the Divine Presence ever dwelling in the church would now come to be realized as never before under the older arrangements. The altar, no longer merely the place of sacrifice, but now the throne of the Incarnate Word there present under the sacramental veils as well, would become in a very real sense 'the place where God's glory dwelleth.'

It would now be seen that the Son of God comes down from heaven, not only to be sacrificed for us and to give Himself to us in the sacred banquet, but also to be our perpetual Guest—to continue in a new and wonderful way the economy of the Incarnation, and thus literally 'to be with His Church all days, even unto the consummation of the world.'

Before bringing these lines to a close, there remains to be noticed an interesting fact connected with the reservation of the Blessed Sacrament in these days. It is prescribed by the official rubrics, not only for Rome itself but for all those cathedral and collegiate churches throughout the Western Church, in which the Divine Office is publicly celebrated, that the Blessed Sacrament is to be reserved, not at the high altar, but at a side altar or in a chapel specially set apart for the purpose. Mr. Edmund Bishop in his article in the *Downside Review* already referred to, suggests that this practice may possibly be 'a remnant of discipline now passed and gone—the *loculus in muro*'—that is, the wall-recess or aumbry. If this should be the case, it would be another example of that conservatism so noticeable in liturgical matters whereby, in the midst of

<sup>1</sup> *Downside Review*, July, 1905, pp. 179 and 180, 'On the History of the Christian Altar,' by Edmund Bishop.

changes and new developments, ancient customs are so often found still existing—saved from being mere relics of antiquity by various modifications which bring them into line with living tradition. The Church is never willing to break altogether with her own past—even in less essential points such as this she preserves unbroken her connexion with the ages that have gone by. Amid all the changes that take place from century to century, she alone remains unchanged, yet always adapting herself, as every living body must, to new circumstances and conditions of life. Like her Divine Master Himself, she ever shows herself to be ‘the same, yesterday, to-day, and forever.’

BENEDICT STEUART, O.S.B.

## A MIRACLE AND APOLOGETICS

IN a former article on the nature and functions of a miracle, my remarks were chiefly concerned with that once much-talked of work, entitled *Supernatural Religion*. I had in view to present the difficulties against the Christian miracle from one aspect, and this book was selected for review as being typical of the line of reasoning usually pursued. However, even from the rationalists' point of view the methods of this work are now slightly antiquated. The standpoint of the impossibility of anything, even a miracle, is, to say the least, peculiar in the history of modern rationalism. With men of this kind, who admit the existence of a Supreme Being, as the author of *Supernatural Religion* apparently does, the serious question is now not whether the miraculous is possible or impossible, credible or incredible, but rather whether the narrative of the alleged miracles is to be believed or rejected. Around the evidence of the genuineness and authenticity of the New Testament are the forces of rationalism nowadays entrenched; from those old embankments, it would seem, they have in our day retired, experience having at length taught them, presumably, the futility of their efforts.

In this article I purpose to look at the miracle from the view-point of the physical sciences, and see how far our teaching on its nature and its purpose has been affected, if at all, by the extraordinary progress in those departments. The intimate connexion between our doctrine on the nature and functions of a miracle and the domain of the physical sciences I have already indicated. It has always been put forward as an effect occurring in the physical order, capable of being examined like any other phenomenon, capable of being subjected like other phenomena, to a rigid critical investigation. Doubtless, it was stated, too, that a miracle is never wrought for any vain or useless end, that it has always underlying it some moral



religious purpose, but even this was not always rigidly insisted upon,<sup>1</sup> and when it was, it was considered rather as a workable criterion than as really essential to the true concept of a miracle. The current definitions of a miraculous occurrence, amongst authors, were either 'a sensible effect exceeding all the powers of created nature,' or 'an effect whose cause was unknown and unknowable.' But are miracles really capable of being subjected to a true scientific examination? Do they not, as thus defined, rather eschew all the rules of scientific investigation, according to which a purely physical effect is nowadays examined? Observation and experiment are the recognized means in the realm of the physical sciences for coming to a knowledge of the nature and antecedents of all phenomena. How many of the miracles that we are ready to put forward as genuine would stand the scientific tests of observation and experiment? These are some of the interesting points which occur to one at the very outset of this discussion, and which will come up for consideration in due course; but we have first to see more fully the exact nature of the difficulties with which we essay to deal. The following may be taken as fairly representative of the line of argumentation usually adopted by opponents in this connexion.

On our own admission it is of the very nature of a miracle that it cannot be repeated at will, cannot be 'experimented' on *ad nauseam* in the laboratory. One of the methods of scientific investigation is thus summarily ruled out of court. With regard to 'observation' of the occurrence, if a miracle be claimed as an extraordinary physical effect, it should, doubtless, be capable of being observed, of being subjected to a critical analysis as any other effect in the physical power. Prescinding, now, from the alleged witnessed miracles of modern times,—which, dispassionately considered, are so few and far between, as not to engage our serious attention—in how many cases are the records of the events of such a kind

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<sup>1</sup> As might easily be inferred from the character of many of the recorded miracles of the early Church.

as to satisfy the ordinary demands of the scientific historian? The fact is *ex professo*, an extraordinary one, the mind of the historian has no precedent of it, he is naturally disposed to exact a closer scrutiny of all the attendant circumstances. The notion of a miracle does not presuppose within him that mental setting which ordinary occurrences do, and so will he require that the evidence substantiating it be more convincing. What, then, is the nature of the evidence for the great bulk of the miracles of Christianity? The really important ones come down to us in records compiled in an age notorious above all others for its miraculous pretensions and superstitious beliefs. What wonder if his critical mind, painfully conscious of the difficulty of relying for an exact description of facts, even contemporaneous and ordinary, on the mere statement of a writer, should here be disposed to incredulity? Does not experience teach him that it is next to impossible to find the simplest statement of fact that does not betray the mental bias of the writer—to find the simplest record that is not coloured more or less by a theory conscious or unconscious? how much more when the accounts narrated are religious, set down by enthusiastic partisans of the teaching; when, in a word, the whole mental attitude of the narrator naturally precluded the exercise of sober judgment? Nay, what wonder, unless the evidence be altogether overwhelming, which not even the interested advocates of the miraculous will claim for most of the miracles of Christianity, if the critical insight of the scientific historian inclines to their rejection?

Nor is this all; even granted the authenticity and accuracy of the record, and that, moreover, the narrator were proved to be a capable sober-minded witness of the fact, it would not be the less true that strict scientific observation is impossible. For what is a miracle claimed to be but an act performed by a supernatural power which has its effect here below? The effect is visible, the consequences of the act are sensible, but the cause is *ex hypothesi*, inaccessible, eschewing all means of scientific

observation. To observe a phenomenon scientifically, we have to see it really produced, we have to scrutinize the circumstances, we have to enumerate and measure the antecedents. But how is this possible when there is question of an effect whose cause is altogether above the realm of the senses? While the sporadic character of a miracle then manifestly excludes 'experimentation,' its very essence, being supernatural in cause, precludes scientific observation.

So far one aspect of the difficulty of modern science that, according to its true and recognized methods, a miracle cannot be judged. There is another aspect, too, which at first sight might seem to be fraught with even more pernicious consequences for our apology for the miraculous on the lines indicated. Has science itself any explanation to offer for these alleged extraordinary phenomena, granted that the record of them is authentic, and faithfully reproduced? Yes, it has, and this aspect of the difficulty applies equally against contemporaneous and past events of the kind. The present attitude of physical science is, that there is no phenomenon occurring in the physical order for which it is not competent to offer a natural explanation. Perhaps, indeed, in particular cases it may not yet be able to state scientifically the precise forces at work, but the science is progressive. Is it not an admitted fact that many things which would have been deemed miraculous by our immediate progenitors are now regarded as the most commonplace with us? What would our ancestors have thought had they been told of the marvellous things effected nowadays through steam and electricity? We are told<sup>1</sup> that when Stephenson first proposed the use of locomotives on the Liverpool and Manchester Railway, the learned men of the day pronounced it quite impossible that it could ever travel more than twelve miles an hour, that Sir Humphrey Davy laughed to scorn the idea of London ever being lighted even with gas, that the great French Academy of Sciences

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<sup>1</sup> *Miracles and Modern Spiritualism*, Alfred Russel Wallace, pp. 17, 18.  
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ridiculed the famous astronomer, Arago, when he asked for a discussion on the subject of the electric telegraph; that medical men everywhere disbelieved with ridicule the idea of the stethoscope when it was first invented. And if this were true of the *savants*, what would have been the attitude of the plebeian? What, in fine, would have been the measure of their contempt, their ridicule one and all, for the man who would have proclaimed to them the marvellous discoveries of the X-rays and wireless telegraphy? what their wonder if they had seen them in effect? No; physical science is too progressive, too conscious of its inherent possibilities, to admit that any effect occurring within its domain eschews all possible explanation on purely scientific lines.

Nor is this the end of it, for there progresses hand in hand with the march of physical science the still more marvellous world of the occult sciences, whose depths what ken shall fathom? Who will be so foolhardy as to prescribe limits to the possibilities of the sub-conscious mind—of hypnotism, suggestion, hysteria, telepathy, clairvoyance, in a word the so-called ‘psychology of the unconscious’? What marvels have been wrought, what cures effected, and as yet those sciences are only in their infancy! Already for most of the cures proclaimed by us as miraculous they have essayed to give a natural explanation, emphatically protesting that they are, one and all, quite within their province. They tell us that they have produced their stigmata, their ecstasies, their cures of mind and body, no less wonderful apparently than the ordinary miracles of Christ Himself; nay, the hypno-spiritist, whose theory implies the essential power of spirit over matter, has not hesitated to explain away even the raising of the dead to life, though indeed, forsooth, the number of cases of this kind that can seriously claim one’s attention are so few that, even if the explanation be not forthcoming, they need cause no alarm! And here is how he *explains* it: Is it not a principle of our own philosophy that when matter is suitably disposed for the habitation of the spirit the union of the soul and

body becomes morally necessary, and therefore will take place? Now the power of another spirit—or better, of a number of spirits—over the dead body may be quite capable of effecting that prerequisite organization, and so the exigency for the return of the soul—the resurrection! The ravings of an imbecile, if you will, but has it not consistency? The phenomena of the subconscious mind demonstrate beyond a doubt its power over the matter of the body; the marvels of clairvoyance and telepathy, if true, show that it can dominate to some extent matter outside itself, and what has the effect in question but a difference in degree?

But enough of this for the present, enough at least, I trust, to illustrate how difficult it is in defining a miracle to circumscribe the forces of created nature. To some, perhaps, the case which I have made for the physical scientist will appear slightly overdrawn, in view of the fact that those views are not shared in to any great extent by many of the most eminent scientists, who still happily adhere to the received doctrine of the Christian miracles. The men who are most zealous in propagating them are, doubtless, stimulated by no love for Christ or His teaching, but since in the line of reasoning they pursue, they do not appear to go beyond the legitimate bounds of their province, and since, moreover, the ventilation of those views, even by an enemy, is always calculated to have its influence for evil, the Christian apologist, it seems to me, can hardly afford to ignore them. Howbeit, those tendencies in modern scientific research have set many Christian minds a-thinking and have already elicited some lengthy disquisitions from learned advocates of the Christian miracles.

Such questions as the following might occur to anyone: Is our theory of the nature and functions of a miracle proof against those latest developments of physical science? Can we still, in face of these recent discoveries and the wide field of possibilities they have opened up for the play of terrestrial forces, wisely and effectively put forward a miracle as a sensible effect exceeding all the powers of

nature? Can we still safely and securely rest the greatest proof of the divinity of the Christian revelation on the exalted character of a physical phenomenon? Already, as I stated, different solutions, some tentative, some more or less matured, have been offered to those questions from the pens of Catholic and Protestant divines, but perhaps the most remarkable is that outlined by the distinguished Catholic apologist, M. Le Roy, in some recent issues of the journal *Annales de Philosophie Chrétienne*, of the French Philosophical Institute. Some of the salient points of his teaching,—and we may say of all of them, that they are interesting and illuminating—will be brought under review in the course of this paper, but we have first to premise some necessary statements of Catholic doctrine.

In a former paper I emphasized sufficiently that the true Christian can have no sympathy with those whose tendency is to oust the miraculous altogether. Christianity is inseparably bound up with the miraculous; you cannot logically reject the one without vitiating the other. The true Catholic, moreover, can have no sympathy with those who are inclined to unduly minimize the importance of the miracle, as they do all externalism in Christianity; in the mind of the Catholic Church the miracle has had and always will have an honoured place. Besides, in her everyday course of action<sup>2</sup> assuming the reality of the miraculous, she has in her definitive teaching irrevocably committed herself to the fact of its occurrence. The infallible decision of the Vatican Council places this beyond the shadow of a doubt: 'If anyone shall say that miracles are not possible, and that therefore all the narratives of them in the Sacred Scriptures are to be regarded as fables or myths, or that miracles cannot be known with certitude, or that the divine origin of Christianity is not rightly proved by them, let him be anathema.' In this formal definition, however, we see that the Church has not committed herself to any precise notion of a miracle,

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<sup>1</sup> As in the Canonization of a saint for which she requires the certain evidence of at least two miracles performed by the saint or through some relic of him.



nor has she indicated in what way exactly it serves as a proof of the divinity of the Christian revelation. As in her definitions regarding inspiration and revelation and other similar questions, so, too, here, it is left largely to Catholic apologists to specify and to stereotype the points indicated. Not, however, that the full liberty pertains to each one to specify the notion of a miracle, and build up a theory, as fancy or reason may suggest to him,—to specify so as to alter the meaning of time-honoured words is not the right of every individual,—but let the notion projected warrant the full title of a miracle according to the ordinary use of language and be capable, thus understood, of affording a proof of the divine origin of Christianity, and there would seem to be as yet no very clearly defined limits to the exercise of his ability. This brings me to the root question with which I started—whether the current notion of a miracle conveyed in the handbooks of theology, is proof against those latest advances in scientific research, and if not, how it may most effectively be presented while retaining the true traditional meaning of the term, miracle.

But here I must first direct attention to a few points on the primary notion of a miracle which are set forth at length in the articles of M. Le Roy, and which I conceive to be of the utmost importance nowadays in presenting the true case for the miraculous. Later on we shall see how the ideas thus formed accord with the recognized function of the miracle in the rôle of Christian apologetics. At the beginning of this paper I have indicated what may be regarded as the prevalent notion of a miracle in the Catholic Schools, as being essentially a physical phenomenon capable of being investigated according to true scientific standards. To the influence of St. Thomas, who was the first to utilize to any considerable extent the philosophical principles of Aristotle and the prevailing theories of physical science in the exposition and illustration of the Christian dogmas, is to be ascribed, I think, this tendency to put forward the physical aspect of a miracle as the be-all and end-all of its case.

The sole agency by which a true miracle is performed,

St. Thomas is indeed careful to point out, but the way in which God produces it, the peculiar circumstances invariably connected with its occurrence, the religious moral significance of the whole thing, are either but dimly alluded to or only very briefly discussed. Medieval theologians, it is said, were content, in this as in other matters, to follow in his trail. The notion of a miracle invariably put forward is that of a marvellous physical effect for which no adequate explanation could be offered without postulating the direct and immediate intervention of God. It was claimed for the particular effect that it was capable of being examined by the ordinary methods of physical science, judged by the very same standards and pronounced miraculous on its own intrinsic merits. In some cases, it was stated that the marvellous occurrence may be seen to be so patently out of joint with all the laws of matter that the conclusion to its miraculous nature could be arrived at, *ictu oculi*, as unmistakably by the unlettered peasant as by the expert in physical science; in others wherein the possibility of ascribing it to the laws of matter known or unknown, or a combination of those laws, might still remain, the effect as produced was pronounced capable of being subjected to a sort of *post-mortem* examination, and its miraculous nature thus verified on what was claimed to be truly scientific principles. The eye of science, not the religious or moral eye was invariably appealed to; the eye of science pre-eminently had to detect and reveal the presence of immediate action of the Deity.

It must be admitted, however, that when miracles came to be discussed in the concrete, and when rules had to be laid down by which they were to be distinguished from 'lying wonders' of imposters, other factors were necessarily introduced. The attendant circumstances of the event are then seen to be in evidence. We are told that a true miracle can never be performed for other end than the greater glory of God or man's spiritual benefit. To ascertain if this be realized we are recommended to enquire closely into the moral character of the persons immediately connected with the occurrence, more especially that of the

alleged thaumaturgist if such there be, and to weigh carefully the antecedents and consequents of the whole event. This was, of course, but voicing the idea uppermost in the ordinary Christian mind, that a miracle is always associated with a religious atmosphere, but apparently in the minds of many apologists this consideration was altogether secondary ; its position at least was subordinate in the discussion of the miraculous, neither entering into the definition nor put forward clearly in the apology for its possibility and credibility.

Now M. Le Roy considers, and I think fairly, that this is a half sided, an unfair presentation of the case for a miracle, and that, moreover, it ill accords with the genuine traditional view of the Catholic Church. While it exposes the doctrine itself to the contempt and ridicule of physical scientists to whom the case is offered for judgment, and yet whose peculiar standards of judging cannot, as we saw, be fully applied, it is, moreover, out of harmony, he says, with the true teaching of the early Fathers. Those early apologists were apparently always more interested in emphasising the religious significance of the Christian miracles, their purely religious character and their moral effects on the world, than in dilating merely on their physical greatness. They did not pretend in their comparative ignorance of the laws of matter to prescribe *a priori* the limits beyond which they shall not go. On the contrary, the *rationes seminales* of St. Augustine would lead one to imagine that in their meagre knowledge of the laws of nature, they adopted a much more hopeful attitude towards the possibilities of scientific research than many of our modern thinkers. By them the miracle was always presented with its moral religious clothing, never nude and repulsive as a mere physical anomaly.

I find, too, that Cardinal Newman, whose keen theological perception in this as in other matters transcended all the thinkers of his time, in his *Essay on Miracles*—written while he was yet a Protestant—voices this sentiment admirably in the opening pages of the book. After insisting strongly that the moral aspect is essential to the



true and complete notion of the miraculous, he wisely deprecates the action of those who in their expositions are content to put forward the miraculous as a mere physical effect whose cause science cannot explain: 'To consider them (miracles) as mere exceptions to the physical order is to take a very incomplete view of them. It is to degrade them from the station which they hold in the plans and provisions of the Divine Mind and to rob them of their real use and dignity, for as naked and isolated facts they do but deform an harmonious system.' Here, then, is the first point I wish to emphasize, that into the essential notion of a miracle another factor enters besides that of a mere physical phenomenon. It is its moral religious character, that it is never produced except under religious influence, in a religious atmosphere, in connexion with religious acts and following on religious antecedents. Whether we have regard to the idea uppermost in the mind of the simple Christian, whose mental setting is not burdened with the technique of theology or to all the alleged miraculous occurrences in history which can seriously claim our attention at the present day, this moral religious character will be found verified in every Christian miracle. It follows, then, that a miracle is as much a moral religious act as it is a physical one, and therefore needs be judged as much by moral religious standards as those of physical science.

Let us now look at the difficulties in the light of this two-fold aspect of a Christian miracle preparatory to examining its peculiar functions in the apologetic rôle. But already this paper has outstepped its due limits, and so perforce the remainder must be withheld for another number.

MALACHY EATON.

[*To be continued.*]

## CORRESPONDENCE

## THE CLERGY AT HORSE RACES

REV. DEAR SIR,—The Maynooth Statute, commencing with the words, ‘*A publicis equorum cursibus*,’ etc., is so well known, and its import so obvious, that it is quite unnecessary to quote it at length. For the present writer, however, and doubtless for many others, it has a very practical concern. Previous to the publication of the present Statutes, there was a well-recognized custom—in some parts of Ireland—that one priest—a priest of the parish wherein the *cursus equorum* took place, would attend on the racecourse, and this, not *in loco vicino*, but in a highly conspicuous place where he could be an observer of what took place, and where his ministrating might be easily requisitioned, should the occasion arise. In taking this step, priests of *timoratae conscientiae*, made no reference whatever to the Ordinary, but went there as a matter of course, perfectly satisfied in their own minds, that the accumulation of dangers was such, and the need of supervision of their own people, who were there in their numbers, so imperative, that no law, however explicit, contemplated their absence. It is but fair to add that on similar occasions it was the practice of other priests—a lesser number—to have recourse to the Ordinary. Permission was granted as a matter of course, but as law-interpreters cannot be expected to see always eye to eye, it could easily happen that a concession freely made by one would in perfect good faith seem unnecessary and unreasonable to another, one effect of which would be to disturb the *bona fides* of those who felt themselves secure in a well-established custom.

The present writer, therefore, asks :—

(1) Where such a custom existed—without any reference to the Ordinary—may it still be continued ?

(2) Was the practice of some priests, of referring the matter on individual occasions to the Ordinary, necessary, so as to escape the penalty of law breakers, or was it rather a respectful deference to authority, and a seeking of approbation for an act otherwise lawful ?

(3) If the practice were unnecessary under the older Statute, is there anything in the newer to make it necessary ?

It would appear these questions may be answered in the affirmative.

(1) The new law does not reprobate the custom referred to, even by implication, and, therefore, it may be continued.

(2) It would seem, the referring of individual cases to the Ordinary, from the point of view of the Maynooth law, was a work of supererogation. Circumstances throw light on matters. At the time the custom of acting, without reference to the Ordinary, was fairly universal—in the places referred to—and as priests of *timoratae conscientiae*, saw no difficulty in availing of it, it is reasonable to infer that such a custom had its origin in a permission given by the Ordinary—at first perhaps in a particular case, but given in such a way and in view of all the dangers surrounding the racecourse, that it came to be regarded as of universal application, and as partaking more of the nature of an interpretation of the law than of a relaxation of its rigour in a particular case.

(3) Under this aspect of the question, there is nothing in the new law to distinguish it from the old.

Needless to say the present questions are submitted with all deference to authority, and for the sole purpose of eliciting the views of your learned correspondent. They presuppose no other living issue than the anxiety of some priests, who, somewhat perturbed by the more stringent form of the present Statute, are desirous to know how exactly they stand in regard to a practice which, whatever may be said for it from a law point of view, undoubtedly made for the consolation of those who were running serious risks in legitimate sport, as well as for the safeguarding of many of their own people who were checkmated in their excesses by the presence of the *Soggarth Aroon*.

F.

[Our reply will appear next month.—ED. I. E. RECORD.]



## DOCUMENTS

## THE APOSTOLIC CONSTITUTION OF THE ROMAN 'CURIA

## CONSTITUTIO APOSTOLICA DE ROMANA CURIA

## PIUS EPISCOPUS

## SERVUS SERVORUM DEI

## AD PERPETUAM REI MEMORIAM

Sapienti consilio sa. me. Pontifex Xystus V, Decessorum vestigiis inhaerens eorumque coepta perficiens, sacros Cardinalium coetus, seu Romanas Congregationes, quarum aliquot iam erant ad certa negotia institutae, augeri numero voluit, ac suis quamque finibus contineri. Quare Apostolicis Litteris die XXII mensis Ianuarii an. MDLXXXVII, queis initium, *Immensa*, eiusmodi Congregationes constituit quindecim, ut, 'partita inter eos aliosque romanae Curiae magistratus ingenti curarum negotiorumque mole,' quae solet ad Sanctam Sedem deferri, iam necesse non esset tam multa in Consistorio agi ac deliberari, simulque possent controversiae diligentius expendi, et celerius faciliusque eorum expediri negotia, qui undique, sive studio religionis ac pietatis, sive iuris persequendi sive gratiae impetrandae, aliisve de causis ad Summum Pontificem confugerent.

Quantum vero utilitatis ex sacris his Congregationibus accesserit sive ad ecclesiasticam disciplinam tuendam, sive ad iustitiam administrandam, sive ad ipsos Romanos Pontifices relevandos, crescentibus in dies curis negotiisque distentos, compertum ex Ecclesiae historia exploratumque omnibus est.

Verum decursu temporis ordinatio Romanae Curiae a Xysto V potissimum per memoratas Apostolicas Litteras constituta, haud integra perstitit. Nam et Sacrarum Congregationum numerus, pro rerum ac temporum necessitatibus, modo auctus est, modo deminutus; atque ipsa iurisdictio unicuique Congregationi primitus attributa, modo novis Romanorum Pontificum praescriptis, modo usu aliquo sensim inducto ratoque habito, mutationibus obnoxia fuit. Quo factum est ut hodie singularum iurisdictio, seu *competentia*, non omnibus perspicua nec bene divisa evaserit; plures ex Sacris Congregationibus eadem de re ius dicere valeant, et nonnullae ad pauca tantum negotia expedienda redactae sint, dum aliae negotiis obruuntur.

Quapropter haud pauci Episcopi ac sapientes viri, maxime

vero S. R. E. Cardinales, tum scriptis tum voce, et apud Decesorem Nostrum fel. rec. Leonem XIII, et apud Nos ipsos saepe institerunt ut opportuna remedia hisce incommodis afferrentur. Quod Nos quidem pro parte praestare curavimus datis Litteris die XVII mensis Decembris anno MCMIII, *Romanis Pontificibus*: aliisque datis die XXVIII mensis Ianuarii anno MCMIV, *Quae in Ecclesiae, bonum*; itemque aliis datis die XXVI mensis Maii anno MCMVI, *Sacrae Congregationi super negotiis*.

Cum vero in praesenti res quoque sit de ecclesiasticis legibus in unum colligendis, maxime opportunum visum est a Romana Curia ducere initium, ut ipsa, modo apto et omnibus perspicuo ordinata, Romano Pontifici Ecclesiaeque operam suam praestare facilius valeat et suppetias ferre perfectius.

Quamobrem, adhibitis in consilium pluribus S. R. E. Cardinalibus, statuimus ac decernimus, et Congregationes, Tribunalia et Officia, quae Romanam Curiam componunt et quibus Ecclesiae universae negotia pertractanda reservantur, post ferias autumnales decurrentis anni, hoc est a die III mensis Novembris MDCCCXVIII, non alia sint, praeter consueta sacra Consistoria, quam quae praesenti Constitutione decernuntur, eaque numero, ordine, competentia, divisa et constituta maneant his legibus, quae sequuntur.

## I.—SACRAE CONGREGATIONES

### I<sup>o</sup>. CONGREGATIO SANCTI OFFICII

1. Haec Sacra Congregatio, cui Summus Pontifex praeest, doctrinam fidei et morum tutatur.

2. Eidem proinde soli manet iudicium de haeresi aliisque criminibus, quae suspicionem haeresis inducunt.

3. Ad ipsam quoque devoluta est universa res de Indulgentiis, sive quae doctrinam spectet, sive quae usum respiciat.

4. Quidquid ad Ecclesiae praecepta refertur, uti abstinentiae, ieiunia, festa servanda, id omne, huic Sacro Consilio sublatum, Congregationi Concilii tribuitur; quidquid ad Episcoporum electionem spectat, sibi vindicat Congregatio Consistorialis; relaxationem vero votorum in religione seu in religiosis institutis emissorum, Congregatio negotiis sodalium religiosorum praeposita.

5. Etsi peculiaris Congregatio sit constituta *de disciplina Sacramentorum*, nihilominus integra manet Sancti Officii facultas ea cognoscendi quae circa privilegium, uti aiunt, Paulinum, et impedimenta disparitatis cultus et mixtae religionis versantur, praeter ea quae attingunt dogmaticam de matrimonio, sicut etiam de aliis Sacramentis, doctrinam.

## 2°. CONGREGATIO CONSISTORIALIS

1. Duas haec Sacra Congregatio, easque distinctas partes complectitur :

2. Ad primam spectat non modo parare agenda in Consistoriis, sed praeterea in locis Congregationi de Propaganda Fide non obnoxiiis novas dioeceses et *capitula* tum *cathedralia* tum *collegiata* constituere ; dioeceses iam constitutas dividere ; Episcopos, Administratores apostolicos, Adiutores et Auxiliarios Episcoporum eligere ; canonicas inquisitiones seu *processus* super eligendis indicere actosque diligenter expendere ; ipsorum periclitari doctrinam. At si viri eligendi vel dioeceses constituendae aut dividendae sint extra Italiam, administri Officii a publicis negotiis, vulgo *Secretariae Status*, ipsi documenta excipient et *Positionem* conficient, Congregationi Consistoriali subiiciendam.

3. Altera pars ea omnia comprehendit, quae ad singularum dioecesium regimen, modo Congregationi de Propaganda Fide subiectae non sint, universim referuntur, quaeque ad Congregationes Episcoporum et Concilii hactenus pertinebant, et modo Consistoriali tribuuntur. Ad hanc proinde in posterum spectent vigilantia super impletis vel minus obligationibus, quibus Ordinarii tenentur ; cognitio eorum quae ab Episcopis scripto relata sint de statu suarum dioecesium ; indictio apostolicarum visitationum, examenque earum quae fuerint absolutae, et, post fidelem rerum expositionem ad Nos delatam singulis vicibus, praescriptio eorum quae aut necessaria visa fuerint aut opportuna ; denique ea omnia quae ad regimen, disciplinam, temporalem administrationem et studia Seminariorum pertinent.

4. Huius Congregationis erit, in conflictatione iurium, dubia solvere circa *competentiam* Sacrarum Congregationum.

5. Huius Sacri Consilii Summus Pontifex perget esse Praefectus. Eique Cardinales a *secretis* S. Officii et *Secretarius Status* semper ex officio accensentur, praeter alios, quos Summus Pontifex eidem adscribendos censuerit.

6. A *secretis* semper esto Cardinalis a Summo Pontifice ad id munus eligendus ; alter ab ipso erit Praelatus, cui *Adessoris* nomen, qui idem fungetur munere a *secretis* Sacri Collegii Patrum Cardinalium, et sub ipso sufficiens administrorum numerus.

7. Consultores huius Congregationis erunt *Adessor* Sancti Officii, et a *secretis* Congregationis pro negotiis ecclesiasticis extraordinariis, durante munere : quibus accedent alii, quos Summus Pontifex elegerit.



## 3°. CONGREGATIO DE DISCIPLINA SACRAMENTORUM

1. Est huic Sacrae Congregationi proposita universa legislatio circa disciplinam septem Sacramentorum, incolumi iure Congregationis Sancti Officii, secundum ea quae superius statuta sunt, et Sacrorum Rituum Congregationis circa caeremonias quae in Sacramentis conficiendis, ministrandis et recipiendis servari dubent.

2. Itaque eidem Congregationi tribuuntur ea omnia, quae huc usque ab aliis Congregationibus, Tribunalibus aut Officiis Romanae Curiae decerni concedique consueverant tum in disciplina matrimonii, uti dispensationes in foro externo tam pauperibus quam divitibus, sanationes in radice, dispensatio super rato, separatio coniugum natalium restitutio seu legitimatio prolis; tum in disciplina aliorum Sacramentorum, uti dispensationes ordinandis concedendae, salvo iure Congregationis negotiis religiosorum sodalium praepositae ad moderandam eorundem ordinationem; dispensationes respicientes locum, tempus, conditiones Eucharistiae sumendae, Sacri litandi, adservandi Augustissimi Sacramenti; aliaque id genus.

3. Quaestiones quoque de validitate matrimonii vel sacrae Ordinationis, aliasque ad Sacramentorum disciplinam spectantes, eadem Congregatio dirimit, incolumi iure Sancti Officii. Si tamen eadem Congregatio iudicaverit huiusmodi questiones iudiciario ordine servato esse tractandas, tunc eas ad Sacrae Romanae Rotae tribunal remittat.

4. Congregationi huic, quemadmodum ceteris omnibus quae sequuntur, erit Cardinalis Praefectus, qui praeerit sacro Ordini, aliquot Patribus Cardinalibus a Pontifice Summo eligendis conflato cum *Secretario* aliisque necessariis administris et consultoribus.

## 4°. CONGREGATIO CONCILII

1. Huic Sacrae Congregationi ea pars est negotiorum commissa, quae ad universam disciplinam Cleri saecularis populiue christiani refertur.

2. Quamobrem ipsius est curare ut Ecclesiae praecepta servantur, cuius generis sunt ieiunium (excepto eucharistico, quod ad Congregationem de disciplina Sacramentorum pertinet) abstinentia, decimae, observatio dierum festorum, cum facultate opportune relaxandi ab his legibus fideles: moderari quae Parochos et Canonicos spectant; item quae pias Sodalitates, pias uniones, pia legata, pia opera, Missarum stipes, beneficia aut officia bona ecclesiastica, arcas nummarias, tributa dioecesana, aliaque huiusmodi, attingunt. Videt quoque de iis

omnibus, quae ad immunitatem ecclesiasticam pertinent. Eidem Congregationi facultas est reservata eximendi a conditionibus requisitis ad assecutionem beneficiorum, quoties ad Ordinarios eorum collatio spectet.

3. Ad eandem pertinent ea omnia quae ad Conciliorum celebrationem et recognitionem, atque ad Episcoporum coetus seu *conferentias* referuntur, suppressa Congregatione speciali, quae hactenus fuit, pro Conciliorum revisione.

4. Est autem haec Congregatio tribunal competens seu legitimum in omnibus causis negotia eidem commissa spectantibus, quas ratione disciplinae, seu, ut vulgo dicitur, *in linea disciplinari* pertractandas iudicaverit; cetera ad Sacram Romanam Rotam erunt deferenda.

5. Congregationi Concilii adiungitur et unitur, qua Congregatio specialis, ea quae *Lauretana* dicitur.

#### 5°. CONGREGATIO NEGOTIIS RELIGIOSORUM SODALIIUM PRAEPOSITA

1. Haec Sacra Congregatio iudicium sibi vindicat de iis tantum, quae ad Sodales religiosos utriusque sexus tum solemnibus, tum simplicibus votis adstrictos, et ad eos qui, quamvis sine votis, in communi tamen vitam agunt more religiosorum, itemque ad tertios ordines *saeculares*, in universum pertinent, sive res agatur inter religiosos ipsos, sive habita eorum ratione cum aliis.

2. Quapropter ea omnia sibi moderanda assumit, quae sive inter Episcopos et religiosos utriusque sexus sodales intercedunt, sive inter ipsos religiosos. Est autem tribunal competens in omnibus causis, quae ratione disciplinae, seu, ut dici solet, *in linea disciplinari* aguntur, religioso sodali sive convento sive actore; ceterae ad Sacram Romanam Rotam erunt deferendae, incolumi semper iure Sancti Officii circa causas ad hanc Congregationem spectantes.

3. Huic denique Congregationi reservatur concessio dispensationum a iure communi pro sodalibus religiosis.

#### 6°. CONGREGATIO DE PROPAGANDA FIDE

1. Sacrae huius Congregationis iurisdictio iis est circumscripta regionibus, ubi sacra hierarchia nondum constituta, status missionis perseverat. Verum, quia regiones nonnullae, etsi hierarchia constituta, abduc inchoatum aliquid praeseferunt, eas Congregationi de Propaganda Fide subiectas esse volumus.

2. Itaque a iurisditione Congregationis de Propaganda Fide

exemptas et ad ius commune deductas decernimus—in *Europa*—ecclesiasticas provincias Angliae, Scotiae, Hiberniae, et Hollandiae, ac dioecesim Luxemburgensem;—in *America*—provincias ecclesiasticas domini Canadensis, Terrae Novae et Foederatarum Civitatum, seu *Statuum Unitorum*. Negotia proinde quae ad haec loca referuntur tractanda in posterum non erunt penes Congregationem de Propaganda Fide, sed, pro varia eorumdem natura, penes Congregationes ceteras.

3. Reliquae ecclesiasticae provinciae ac dioeceses, iurisdictioni Congregationis de Propaganda Fide hactenus subiectae, in eius iure ac potestate maneant. Pariter ad eam pertinere decernimus Vicariatus omnes Apostolicos, Praefecturas seu missiones quaslibet, eas quoque quae Congregationi a Negotiis ecclesiasticis extraordinariis modo subsunt.

4. Nihilominus, ut unitati regiminis consulatur, volumus ut Congregatio de Propaganda Fide ad peculiare alias Congregationes deferat quaecumque aut fidem attingunt, aut matrimonium aut sacrorum rituum disciplinam.

5. Quod vero spectat ad sodales religiosos, eadem Congregatio sibi vindicet quidquid religiosos qua missionarios, sive uti singulos, sive simul sumptos tangit. Quidquid vero religiosos qua tales, sive uti singulos, sive simul sumptos attingit, ad Congregationem Religiosorum negotiis praepositam remittat aut relinquat.

6. Unitam habet Congregationem pro negotiis Rituum Orientalium, cui integra manent quae huc usque servata sunt.

7. Praefectura specialis pro re oeconomica esse desinit; omnium vero bonorum administratio, etiam *Reverendae Camerae Spoliorum* ipsi Congregationi de Propaganda Fide committitur.

8. Cum hac Congregatione coniungitur Coetus pro *unione Ecclesiarum dissidentium*.

#### 7°. CONGREGATIO INDICIS

1. Huius sacrae Congregationis in posterum erit non solum delatos sibi libros diligenter excutere, eos si oportuerit, prohibere, et exemptiones concedere; sed etiam ex officio inquirere, qua opportuniore licebit via, si quae in vulgus edantur scripta cuiuslibet generis, damnanda; et in memoriam Ordinariorum reducere, quam religiose teneantur in perniciose scripta animadvertere, eaque Sanctae Sedi denunciare, ad normam Const. *Officiorum*, xxv Ian. MDCCCXCVII.

2. Cum vero librorum prohibitio persaepe propositam habeat catholicae fidei defensionem, qui finis est etiam Congregationis Sancti Officii, decernimus ut in posterum omnia quae ad librorum



prohibitionem pertinent, eaque sola, utriusque Congregationis Patres Cardinales, Consultores, Administri secum invicem communicare possint, et omnes hac de re eodem secreto adstringantur.

#### 8°. CONGREGATIO SACRORUM RITUUM.

1. Haec Sacra Congregatio ius habet videndi et statuendi ea omnia, quae sacros ritus et caeremonias Ecclesiae Latinae proxime spectant, non autem quae latius ad sacros ritus referuntur, cuiusmodi sunt praecedentiae iura, aliaque id genus, de quibus, sive servato iudiciario ordine sive ratione disciplinae, hoc est, uti aiunt, *in linea disciplinari* disceptetur.

2. Eius proinde est praesertim advigilare ut sacri ritus ac caeremoniae diligenter serventur in Sacro celebrando, in Sacramentis administrandis, in divinis officiis persolvendis, in iis denique omnibus quae Ecclesiae Latinae cultum respiciunt; dispensationes opportunas concedere; insignia et honoris privilegia tam personalia et ad tempus, quam localia et perpetua, quae ad sacros ritus vel caeremonias pertineant, elargiri, et cavere ne in haec abusus irrepant.

3. Denique ea omnia exequi debet, quae ad beatificationem et canonizationem Sanctorum vel ad Sacras Reliquias quoquo modo referuntur.

4. Huic Congregationi adiunguntur Coetus *liturgicus*, Coetus *historico-liturgicus* et Coetus *pro sacro concentu*.

#### 9°. CONGREGATIO CAEREMONIALIS

Haec Sacra Congregatio iura hactenus ipsi tributa integra servat; ideoque ad eam pertinet moderatio caeremoniarum in Sacello Aulaque Pontificali servandarum, et sacrarum functionum, quas Patres Cardinales extra pontificale sacellum peragunt; itemque quaestiones cognoscit de praecedentia tum Patrum Cardinalium, tum Legatorum, quos variae nationes ad Sanctam Sedem mittunt.

#### 10°. CONGREGATIO PRO NEGOTIIS ECCLESIASTICIS EXTRAORDINARIIS

In ea tantum negotia Sacra haec Congregatio incumbit, quae eius examini subiiciuntur a Summo Pontifice per Cardinalem *Secretarium Status*, praesertim ex illis quae cum legibus civilibus coniunctum aliquid habent et ad pacta conventa cum variis civitatibus referuntur.

## II°. CONGREGATIO STUDIORUM

Est huic Sacrae Congregationi commissa moderatio studiorum in quibus versari debeant maiora athenea, seu quas vocant Universitates, seu Facultates, quae ab Ecclesiae auctoritate dependent, comprehensis iis quae a religiosae alicuius familiae sodalibus administrantur. Novas institutiones perpendit approbatque; facultatem concedit academicos gradus conferendi, et, ubi agatur de viro singulari doctrina commendato, potest eos ipsa conferre.

## II.—TRIBUNALIA

## I°. SACRA POENITENTIARIA

Huius sacri iudicii seu tribunalis iurisdictio coarctatur ad eadumtaxat quae forum internum, etiam non sacramentale, respiciunt. Itaque, externi fori dispensationibus circa matrimonium ad Congregationem de disciplina Sacramentorum remissis, hoc tribunal pro foro interno gratias largitur, absolutiones, dispensationes, commutationes, sanationes, condonationes; excutit praeterea quaestiones conscientiae, easque dirimit.

## 2°. SACRA ROMANA ROTA

Quum Sacrae Romanae Rotae tribunal, anteactis temporibus omni laude cumulatum, hoc aevo variis de causis iudicare ferme destiterit, factum est ut Sacrae Congregationes forensibus contentiōibus nimium gravarentur. Huic incommodo ut occurratur, iis inhaerentes, quae a Decessoribus Nostris Xysto V, Innocentio XII et Pio IX sancita fuerunt, non solum iubemus 'per Sacras Congregationes non amplius recipi nec agnosci causas contentiosas, tam civiles quam criminales, ordinem iudicarium cum processu et probationibus requirentes' (Litt. Secretariae Status, xvii Aprilis mdcclxxviii); sed praeterea decernimus, ut causae omnes contentiosae non maiores, quae in Romana Curia aguntur, in posterum devolvantur ad Sacrae Romanae Rotae tribunal, quod hisce litteris rursus in exercitium revocamus iuxta *Legem propriam*, quam in appendice praesentis Constitutionis ponimus, salvo tamen iure Sacrarum Congregationum, prout superius praescriptum est.

## 3°. SIGNATURA APOSTOLICA

Item supremum Signaturae Apostolicae tribunal restitutum censemus, et praesentibus litteris restituimus, seu melius

instituimus, iuxta modum qui in memorata *Lege* determinatur, antiqua ordinatione tribunalium *Signaturae papalis gratiae et iustitiae* suppressa.

### III.—OFFICIA

#### 1°. CANCELLARIA APOSTOLICA

1. Huic officio praesidet unus ex S. R. E.<sup>e</sup> Cardinalibus, qui posthac Cancellarii, non autem Vice-Cancellarii nomen assumet. Ipse iuxta pervetustam consuetudinem in sacris Consistoriis, ex officio, notarii munere fungitur.

2. Ad Cancellariae officium in posterum hoc unum tamquam proprium reservatur munus, Apostolicas expedire litteras *sub plumbo* circa beneficiorum consistorialium provisionem, circa novarum dioecesium et capitulorum institutionem, et pro aliis maioribus Ecclesiae negotiis conficiendis.

3. Unus erit earum expediendarum modus, hoc est per *viam Cancellariae*, iuxta normam seorsim dandam, sublatiis iis modis qui dicuntur per *viam secretam, de Camera et de Curia*.

4. Expedientur memoratae litterae seu *bullae* de mandato Congregationis Consistorialis circa negotia ad eius iurisdictionem spectantia, aut de mandato Summi Pontificis circa alia negotia, servatis ad unguem in singulis casibus ipsius mandati terminis.

5. Suppresso collegio Praelatorum qui dicuntur *Abbreviatores maioris vel minoris residentiae*, seu *de parco maiori vel minori*; quae ipsius erant munia in subscribendis apostolicis bullis transferuntur ad collegium Protonotariorum Apostolicorum, qui vocantur *participantes de numero*.

#### 2°. DATARIA APOSTOLICA

1. Huic officio praeest unus ex S. R. E. Cardinalibus, qui in posterum Datarii, non vero Pro-Datarii nomen obtinet.

2. Ad Datariam in posterum hoc unum tamquam proprium ministerium tribuitur, cognoscere de idoneitate eorum qui optant ad beneficia non consistorialia Apostolicae Sedi reservata; conficere et expedire Apostolicas litteras pro eorum collatione; eximere in conferendo beneficio a conditionibus requisitis; curare pensiones et onera quae Summus Pontifex in memoratis conferendis beneficiis imposuerit.

3. In his omnibus agendis normas peculiares sibi proprias, aliasque seorsim dandas servabit.

#### 3°. CAMERA APOSTOLICA

Huic Officio cura est atque administratio bonorum ac iurium



temporalium Sanctae Sedis, quo tempore praesertim haec vacua habeatur. Ei officio praeest S. R. E. Cardinalis Camerarius, qui in suo munere, Sede ipsa vacua, exercendo se geret ad normas exhibitae a Const. *Vacante Sede Apostolica*, xxv Dec. MDCCCVI.

#### 4°. SECRETARIA STATUS

Officium hoc, cuius est supremus moderator Cardinalis a *Secretis Status*, hoc est a publicis negotiis, triplici parte constabit. Prima pars in negotiis extraordinariis versabitur, quae Congregationi iisdem praepositae examinanda subiici debent, ceteris, pro diversa eorum natura, ad peculiare Congregationes remissis; altera in ordinaria negotia incumbet, ad eamque, inter cetera, pertinebit honoris insignia quaeque concedere tum ecclesiastica tum civilia, iis demptis quae Antistiti pontificali domui Praeposito sunt reservata; tertia expeditioni Apostolicorum Brevium, quae a variis Congregationibus ei committuntur, vacabit.— Primae praeerit *Secretarius* Congregationis pro negotiis extraordinariis; alteri *Substitutus* pro negotiis ordinariis; tertiae *Cancellarius* Brevium Apostolicorum. Inter harum partium praesides primus est *Secretarius* Sacrae Congregationis negotiis extraordinariis praepositae, alter *Substitutus* pro ordinariis negotiis.

#### 5°. SECRETARIAE BREVIUM AD PRINCIPES ET EPISTOLARUM LATINARUM

Duplex hoc officium sua munia, ut antea, servabit, latine scribendi acta Summi Pontificis.

In posterum vero in omnibus Apostolicis Litteris, sive a *Cancellaria* sive a *Dataria* expediendis, initium anni ducetur, non a die Incarnationis Dominicae, hoc est a die xxv mensis Martii, sed a Kalendis Ianuarii.

Itaque Congregationes, Tribunalia, Officia, quae diximus, posthac Romanam Curiam constituent, servata eorum quae ante Nostras has litteras exstabant, propria constitutione, nisi immutata fuerit secundum superius praescripta aut secundum legem ac normas sive generales sive speciales quae Constitutioni huic adiiciuntur.

Congregatio quae dicitur *Reverendae fabricae S. Petri*, in posterum unam sibi curandam habebit rem familiarem Basilicae Principis Apostolorum, servatis ad unguem in hac parte normis a Benedicto XIV statutis Const. *Quanta curarum* die xv mensis Novembris MDCCLI data.

*Coetus studius provehendis sive Sacrae Scripturae, sive historiae ; Obulo S. Petri administrando ; Fidei in Urbe praeservandae, permanent in statu quo ante.*

Sublata Congregatione *Visitationis Apostolicae Urbis*, quae ipsius erant iura et munia, ad peculiarem Patrum Cardinalium coetum, penes urbis Vicariatum constituendum, deferimus.

In omnibus autem et singulis superius recensitis Congregationibus, Tribunalibus, Officiis hoc in primis solemne sit, ut nil grave et extraordinarium agatur, nisi a moderatoribus eorundem Nobis Nostrisque pro tempore Successoribus fuerit ante significatum.

Praeterea, sententiae quaevis, sive iustitiae, pontificia approbatione indigent, exceptis iis pro quibus eorundem Officiorum, Tribunalium et Congregationum moderatoribus speciales facultates tributae sint, exceptisque semper sententiis tribunalis Sacrae Rotae et Signaturae Apostolicae de ipsarum competentia latis.

Huic Constitutioni accedunt leges propriae, ac normae tum generales tum particulares, quibus disciplina et modus tractandi negotia in Congregationibus, Tribunalibus, Officiis praestituitur ; quas leges et normas ad unguem ab omnibus observari mandamus.

Atque haec valere quidem debent Apostolica Sede plena ; vacua enim standum legibus et regulis in memorata Constitutione '*Vacante Sede Apostolica*' statutis.

Decernentes praesentes Litteras firmas, validas et efficaces semper esse ac fore, suosque plenarios et integros effectus sortiri atque obtinere, et illis ad quos spectat aut pro tempore quomodolibet spectabit, in omnibus et per omnia plenissime suffragari, atque irritum esse et inane si secus [super his a quoquam contigerit] attenari. Non obstantibus Nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, aliisque Constitutionibus et ordinationibus Apostolicis, vel quavis firmitate alia roboratis statutis, consuetudinibus, ceterisque contrariis quibuslibet etiam specialissima mentione dignis.

Datum Romae apud Sanctum Petrum, anno Incarnationis Dominicae millesimo nongentesimo octavo, die festo Sanctorum Apostolorum Petri et Pauli, III Kal. Iulias, Pontificatus Nostri anno quinto.

R. Card. MERRY DEL VAL, *A Secretis Status.*

A. Card. DI PIETRO, *Pro-Datarius.*

VISA

DE CURIA I. DE AQUILA E VICECOMITIBUS

Loco ✠ *Plumbi*

*Reg. in Secret. Brevium.*

V. CUGNONIUS.

## THE BLESSING OF NEW BELLS

BENEDICTIO NOVAE CAMPANAE, QUAE AD USUM ECCLESIAE SIVE  
SACELLI INSERVIAT

V. Adiutorium nostrum in nomine Domini.

R. Qui fecit coelum et terram.

*Psal.* 50. Miserere mei, Deus . . .

*Psal.* 53. Deus, in nomine tuo . . .

*Psal.* 56. Miserere mei Deus, miserere mei . . .

*Psal.* 66. Deus misereatur nostri . . .

*Psal.* 69. Deus in adiutorium meum . . .

*Psal.* 85. Inclina Domine aurem tuam . . .

*Psal.* 129. De profundis clamavi . . .

V. Kyrie eleison.

R. Christi eleison.

V. Kyrie eleison. Pater noster, *secreto*.

V. Et ne nos inducas in tentationem.

R. Sed libera nos a malo.

V. Sit nomen Domini benedictum.

R. Ex hoc nunc et usque in saeculum.

V. Domine, exaudi orationem meam.

R. Et clamor meus ad te veniat.

V. Dominus vobiscum.

R. Et cum spiritu tuo.

## OREMUS

Deus, qui per beatum Moysen, legiferum famulum tuum tubas argenteas, fieri praecepisti, quibus dum sacerdotes tempore sacrificii clangerent, sonitu dulcedinis populus monitus ad te adorandum fieret praeparatus, et ad celebrandum conveniret: praesta quaesumus; ut hoc vasculum, sanctae tuae Ecclesiae praeparatum, a Spiritu Sancto per nostrae humilitatis obsequium sancti ✠ ficetur, ut per illius tactum et sonitum fideles invitentur ad sanctam ecclesiam et ad praemium supernum. Et cum melodia illius auribus insonuerit popolorum, crescat in eis devotio fidei, procul pellantur omnes insidiae inimici, fragor grandinum, impetus tempestatum, temperentur infesta tonitrua, prosternat aereas potestates dextera tuae virtutis: ut hoc audientes tintinnabulum contremiscant et fugiant ante sanctae crucis vexillum in eo depictum. Quod ipse Dominus noster praestare dignetur, qui absorpta morte per patibulum crucis regnat in gloria Dei Patris cum eodem Patre et Spiritu Sancto, per omnia saecula saeculorum.

R. Amen.



*Nunc Officians ponit incensum in thuribulum et benedicit : et primum aqua benedicta aspergit circumeundo campanam, choro dicente :*

Asperges me Domine hyssopo et mundabor : lavabis me et super nivem dealbabor.

*Dein incensat circumeundo campanam, choro dicente :*

Dirigatur Domine oratio mea : sicut incensum in conspectu tuo.

*Officians prosequitur :*

#### OREMUS

Omnipotens dominator Christe, quo secundum carnis assumptionem dormiente in navi, dum oborta tempestas mare conturbasset, te protinus excitato et imperante dissiluit : tu necessitatibus populi tui benignus succurre : tu hoc tintinnabulum Sancti Spiritus rore perfunde ; ut ante sonitum illius semper fugiat bonorum inimicus, invitetur ad fidem populus christianus, hostilis terreatur exercitus, confortetur in Domino per illud populus tuus convocatus ac sicut davidica cithara delectatus desuper descendat Spiritus Sanctus : atque ut Samuele agnum lactentem mactante in holocaustum regis aeterni imperii fragor aurarum turbam repulit adversantium ; ita dum huius vasculi sonitus transit per nubila, Ecclesiae tuae conventum manus conservet angelica, fruges credentium, mentes et corpora, salvet protectio sempiterna. Per te, Christe Iesu, qui cum Deo Patre vivis et regnas in unitate eiusdem Spiritus Sancti Deus, per omnia saecula saeculorum.

R. Amen.

V. In honorem Sancti N.

R. Amen.

*Tum Officians producit super campanam benedictam signum crucis et discedit cum ministris.*

#### ROMANA

Expostulatum est a Sacra Rituum Congregatione :

An praeter ritum de benedictione simplici novae campanae, quae tamen ad usum ecclesiae non inserviat, uti in *Appendice* ad *Rituale Romanum*, et ritum de benedictione signi vel campanae pro ecclesia vel sacello, uti in *Pontificali Romano* (de quo utroque ritu agitur in decreto n. 3770 *Sedunen.*<sup>1</sup> 4 Martii, 1892),

<sup>1</sup> 3770.—Sedunen. Hodiernus Cancellarius Curiae Episcopalis Sedunen. de mandato sui Rmi. Episcopi Sacrae Rituum Congregationi insequentia dubia pro opportuna solutione humillime subiecit ; nimirum : *Rituale*

adhiberi possit alter brevior ritus ad campanas in usum sacrum benedicendas. Et sacra eadem Congregatio, ad relationem subscripti Secretarii, exquisita Commissionis Liturgicae sententia omnibusque accurate perpensis, ita rescribendum censuit : Attamen haec benedictio ab Episcopo, vel ab aliis facultatem habentibus facienda est ; et quod attinet ad ecclesias consecratas in benedictione signi vel campanae decentium servetur ritus Pontificalis Romani.

Quam resolutionem SS<sup>mo</sup> Domino Nostro Pio Papae X per infrascriptum Cardinalem Sacrae Rituum Congregationi Praefectum relatum, Sanctitas Sua in omnibus ratam habere atque approbare dignata est. Die 22 Ianuarii, 1908.

L. ✠ S.

S. Card. CRETONI, *Praefectus*.

✠ D. PANICI, Archiep. Laodicen., *Secretarius*.

### SANATIO IN RADICE

#### S. CONGREGATIO S. OFFICII

#### DUBIA DE SANATIONE IN RADICE

*Beatissime Pater :*

Ordinarius Covingtonen., ad pedes Sanctitatis Vestrae provolutus, haec quae sequuntur exponit :

Inter Facultates Apostolicas Ordinariis Statuum Foederatorum Americae Septentrionalis, ad quinquennium nunc concedi solitas, reperitur etiam (Form. D. art. VI) sequens :

‘Sanardi in radice matrimonia contracta quando comperitur adfuisse impedimentum dirimens super quo, ex Apostolicae Sedis indulto, dispensare ipse possit, magnumque fore incommodum requirendi a parte innoxia renovationem consensus, monita tamen parte conscia impedimenti de effectu huius sanationis.’

Cum autem pluribus iisque gravis momenti controversiis quoad rectam eius interpretationem dicta facultas ansam prae-

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Romanum exhibens benedictionem simplicem campanae addit haec verba : *quae tamen ad usum Ecclesiae non inserviat*. Hinc quaeritur : Dubium I : Utrum quoties benedicuntur campanae, quae ad usum Ecclesiarum vel sacellorum inserviunt, adhibendae sint ab Episcopo caeremoniae et unctiones in Pontificali Romano praescriptae ? Et quatenus affirmative, Dubium II : Pro quibusdam campanis benedictio simplex proprie adhibeatur ? Et Sacra Rituum Congregatio, ad relationem Secretarii expositoque voto alterius ex Apostolicarum Caeremoniarum magistris, ita rescribendum censuit ; videlicet : Ad I. ‘Affirmative.’ Ad II. ‘Pro omnibus campanis quae ad usum sacrum non inserviunt, adhibeatur adnexa formula nuperrime adprobata.’ Atque ita rescripsit et declaravit. Die 4 martii 1892.

buerit et adhuc praebeat, sequentia dubia pro opportuna enodatione proponere ausus est :

1. Quomodo intelligi debet expressio 'Super quo, ex Apostolicae Sedis indulto, dispensare possit?' Utrum nempe solos casus Indultorum quinquennalium (seu particularium) contineat, an etiam omnes casus Indulti generalis a Rom. P. Leone XIII omnibus Ordinariis concessi die 20 Febr. a. 1888, quoad concubinarios, quorum unus versatur in periculo mortis, adeo ut vi praedictae facultatis Episcopi sanare valeant in radice omnia matrimonia, pro quibus reliqui Ordinarii facultatem habent simplicem concedendi dispensationem, supposito utique quod adsit species seu figura quaedam matrimonii.

2. Quid exacte intelligendum est per voces 'pars innoxia et pars conscia impimenti?' Facile quidem usus intelligitur Facultatis pro casu quo matrimonium quoddam nullum et irritum existat ob impedimentum affinitatis ex copula illicita soli parti reae (non innoxiae et simul consciae) cognitum. At praeter hunc casum, alios etiam reperiri in quibus, ex mente h. Supr. Congr., locus sit usui facultatis, vel ex eo solo patet quod Sanctitas Vestra rescribere dignata est Ill<sup>mo</sup> et R<sup>mo</sup> D. G. Elder Archiepiscopo Cincinnatiensi d. 20 Iunii, 1892, pro impedimento disparitatis cultus; unde ulterius petet:

3. Utrum adhuc sit locus facultati si ambae quidem partes cognoscunt nullitatem matrimonii, sed una earum adduci non potest ad renovandum consensum; item si ambae hic et nunc eam ignorant, dummodo postea una pars moneatur de sanatione obtenta eiusque effectui.

4. Utrum valeat Ordinarius sanare in radice matrimonium nullum ob disparitatem cultus, quando impedimentum quidem evanuit, sed gravis adest difficultas expetendi renovationem consensus, prouti in casu sequenti nuper contigit.

Maria non baptizata sed ut catholica ab omnibus reputata, matrimonium in forma Tridentina iniit cum iuvene catholico. Postea vero sacerdotem secreto adiit eique omnem veritatem patefecit, enixe efflagitans ut statim baptizaretur, et insuper orans ut altum servetur silentium coram marito ob gravia dissidia probabiliter oritura ex ea manifestatione veritatis. Sacerdos votis eius obsecundans eam baptizavit. An locus est sanationi in radice, vi Indulti?

5. Ex repetitis S. Inquisitionis decretis et responsis, notanter a. 1898, 1899, 1900 emanatis, constat omnes Facultates habituales a Sede Apostolica Episcopis concessas et concedendas intelligi debere datas Ordinarii locorum, sub quo nomine, praeter Episcopum, veniunt Vicarii in spiritualibus generales, Vicarii Capitulares, etc. Quo posito, petit utrum recte sentiant DD.



qui affirmant limitationes quascumque olim appositas facultatibus delegandi Vicarium Generalem iam evanuisse, ipsumque Vicarium absque ulla delegatione vel communicatione facta ab Episcopo gaudere praedictis facultatibus, eisque, servatis servandis, semper valide uti.

*Feria IV die 22 Augusti, 1906.*

In Congregatione Generali S. R. et U. Inquisitionis, propositis suprascriptis dubiis re mature discussa auditoque RR. DD. Consultorum voto, Eñi ac Rñi DD. Cardinales in rebus fidei et morum Generales Inquisitores scribendum mandarunt :

Ad I. '*Facultatem art. VI Formulae D extendi posse ad casus Indulti diei 20 Febr., 1888, servatis eiusdem Indulti clausulis, facto verbo cum SSmo.*'

Ad II. '*Providebitur in sequenti.*'

Ad III. '*Quoad primam partem, negative, nisi constet verum datum fuisse consensum sub specie matrimonii et eundem ex utraque parte perseverare ; ad secundam, prout exponitur, negative.*'

Ad IV. '*In casu exposito, affirmative.*'

Ad V. '*Affirmative, quoad facultates de quibus in dubio proposito, servato tamen, quoad licitum usum, debito subordinationis officio erga proprium Episcopum.*'

Insequenti vero feria V eiusdem mensis et anni, SSñus D. N. Pius divina providentia Papa X, in audientia R. P. D. Adessori S. O. impertita, habita hac de re relatione, resolutionem Eñorum Patrum adprobavit, et benigne annuere dignatus est.

CAESAR ROSSI, *Subst. Notar. S. O.*

## NOTICES OF BOOKS

A SITE FOR THE NEW UNIVERSITY. A Plea for the Royal Hospital, Kilmainham. By J. de L. Smyth, LL.B. Dublin: Maunsel & Co. Price 6*d*.

THE question of the site for the new University is now a pressing one and very soon it will have to be solved one way or the other: suggestions and recommendations are sure to pour in upon the authorities in favour of different localities. Mr. J. de Lacy Smyth is the first to enter the field with a pamphlet in favour of the site of the Royal Hospital, Kilmainham. It appears that Mr. Haldane and the War Office authorities are anxious to get rid of 'the Royal Hospital,' and that it may be regarded as in the market.

Mr. Smyth gives us a very interesting account of its history, its association with the Knights Templars and afterwards with the Knights Hospitallars of St. John of Jerusalem, and finally with the *Invalides* of the British Army. He enumerates the advantages of the position and strongly advocates its purchase by the University authorities.

Moved to curiosity by Mr. Smyth's pleading I paid a visit to 'the Royal Hospital' a few days ago, and with the help of Mr. Smyth's pamphlet and my own observation I will mention what seem to me to be the advantages and disadvantages of the site.

*Disadvantages.*—Remoteness from centre of life and activity in the city, from the principal Catholic Hospitals such as the Mater Misericordiæ, St. Vincent's, Jervis Street, etc., from the National Library and Museum, from ladies' colleges and other institutions in the city which are likely to be feeders of the new institution. Unsuitability in some respects though not in all of present buildings for academic purposes. Proximity of Steevens' Hospital, of Kingsbridge Railway Terminus and Inchicore Works, of Island-Bridge Barracks, of Kilmainham Jail. The double use to which the place has been turned of, a hospital and a barracks has left on the grounds as well as on the residential building and offices a stamp that it would not be quite easy to remove.

*Advantages.*—A noble and picturesque site with the Liffey and the Phoenix Park on one side of it and the Dublin and Wicklow Mountains on the other. The village of Kilmainham on the west is a handsome and historic village with a splendid rear entrance to the domain. The Dublin Tramway system comes

close to the front gate, whilst the Great Southern Railway station which is connected with nearly all the great railway centres in the city, is likewise at hand. The buildings as they stand could accommodate several hundred students, and there is practically no limit to the accommodation ground for building. Eighty acres of land, well wooded, and sloping to the river which separates them from the Phoenix Park offer unrivalled space for all sorts of sports and games. It is a healthy site, away from the slums and dens and reeking atmosphere of the city. It would be a far nobler and more attractive site than that of Trinity College, and would not be farther from the centre than Queen's College, Belfast, is from the centre of the Northern capital, or Queen's College, Cork, from the centre of the city by the Lee. The historical associations are also attractive, and several relics of the far distant past are still preserved in the buildings and woodwork. The distance from hospitals, libraries and museum would not present any insuperable difficulty.

No doubt there are advantages in the Stephen's Green site, and certain buildings for university purposes might be retained there; but for residence and general purposes I think Kilmainham is to be preferred. If the whole southern side of Stephen's Green were available things might be different, but short of that I should not hesitate.

It is well in any case that the question should be raised. There are *pros* and *cons*; and it is desirable that those who have the selection in their hands should make it with their eyes open.

Whichever way one looks there are difficulties. What one has to seek is the maximum of advantage with a minimum of disadvantage. The choice is to be made not for a day or for a year, but, let us hope, for all time.

J. F. H.

CHILD STUDY AND EDUCATION. By Mrs. C. E. Burke  
author of *The Value of Life*, *The Structure of Life*, etc.  
Dublin: Browne & Nolan, Ltd. 1908.

THIS is a book that I hope will have a very wide sale, for it is useful and instructive; and though written on a delicate and difficult subject, is clear, tactful and dignified. I hope it will find its way into every house in Ireland. It can only do good wherever it goes; and under many a roof it is badly needed. Having had the privilege of reading the book in proof I was



greatly impressed by the practical and useful lessons it conveys and the earnest manner and easily readable style in which they are brought home.

Mrs. Burke has, in my opinion, done a national service, and all who are interested in education not only in its early stages, but in all its grades, from the lowest to the highest, must feel deeply grateful to her. The nation in which her advice is followed is sure to prosper and succeed in spite of all adverse forces.

I will not attempt to describe here the systematic and enlightened method she has followed, nor the care and diligence with which she has sought out and utilized the best that has been said on the subject by the most competent authorities.

I have time just now only to congratulate the distinguished lady who has rendered such a service to the country and to express a hope that the clergy may help in the dissemination of this admirable book.

J. F. H.

THE CATHOLIC ENCYCLOPEDIA. Vol. III. Bron-Clancy.  
London: Caxton Publishing Company; New York:  
Robert Appleton.

THIS third volume of the *Catholic Encyclopedia* is well worthy of its two predecessors in the general character of its contents. No doubt if we were inclined to be critical we should not be lacking in material. We see, for instance, no reason for omitting Bulaeus whilst Budaeus and Busaeus are included. We see no reason for the omission of our great countryman, Catholdus of Taranto, whilst several minor missionary lights get a place. We see no reason why Cavalieri, the mathematician, is remembered, whilst Cavalieri, the great authority on the liturgy of the Church, is forgotten. In the longer articles there is a good deal of flabby writing and commonplace learning, whilst difficulties are shirked or slurred over that might usefully be solved, or at least set on the way of solution.

In the article on the 'Canon of the Mass' we find a great deal of information which anyone who runs may read; but when we come to the passages that require elucidation, such as 'Per quem haec omnia creas, sanctificas, vivificas, benedixis et praestas nobis,' during the utterance of which the priest is directed to make the sign of the cross three times over the consecrated Host and chalice, we get nothing more than a mere reference to another authority without any proof or elucidation which would help to clear up the difficulty that strikes the eye at once

in these words. At the end of several articles the authorities quoted are antiquated and out of date whilst works of recent research are altogether ignored.

These drawbacks, however, do not change our high opinion of the value of the work as a whole. It is a great monument of industry and enterprise and when complete will be a great acquisition not only to Catholics, but to the whole world.

J. F. H.

LETTERS ON CHRISTIAN DOCTRINE. Series II. Part I.  
By Father Zuluetta, S.J.

It will be remembered what a favourable reception was given to the previous series of letters by the reverend author. We may say at once that the present volume is worthy of its predecessor. One cannot fail to notice how very sound is the theological science at the back of those simple instructions—a thing which is rare in works written in popular style. Priests who, according to the command of the present Pope, are engaged in making the people realize their catechism will welcome this part of the second series, and will, we hope, yearn for its successor.

We call attention to the following little points which, in our opinion, ought to be modified. In page 75 the author speaks to the people of the way to baptize, and suggests that the person baptizing may *allow* the water to be poured in some instances, presumably, from some pipe. If the minister turned on the water, we believe it would be all right, but we question the prudence of putting any but the safest methods before the ordinary people whom the author is addressing.

In the case of conditional baptism the author treats as a permissible condition—‘if thou art disposed.’ Such a condition is liable to obstruct the revival of the sacrament. It would poison the wells of grace, so to speak. The author speaks of Suarez in a certain context as having ‘an original explanation of his own.’ The three words—of his own—do not add to the knowledge of the nations. Then, in page 133, we read—and we shall shift the blame on the unfortunate printer—‘Baptism gloriously *transcends* a child of wrath into a child of God.’ Those are minor corrections which we suggest only for the benefit of the writer. The volume cannot be too heartily commended.

G. P.

HANDBUCH DER KIRCHENGESCHICHTE. Hergenröther-Kirsch. (III. Band., I. Abt.) Herder. 1907.

THOSE who take a special interest in ecclesiastical history will be glad to know that Kirsch's revised edition of Cardinal Hergenröther's great work is approaching completion. The original has always been regarded as the best work on the subject, though many other compendiums were published since it appeared. Not that certain points were not explained more fully by Funk and several others, but that taken all in all Hergenröther's three-volume history omitted nothing of general interest, while at the time it gave the best results of modern scholarship in a form that made them easily assimilated. The first and second volumes as re-issued by the Freiburg professor brought them up to date, and now we have the first section of the third. The same masterly grasp of principles, and careful attention to details, particularly as regards controverted questions, is visible throughout. Perhaps some persons would prefer to be told everywhere how much is Hergenröther's and how much is Kirsch's, but this would have made the book less easy to read. What most people want is ecclesiastical history, they are not interested in a literary by-question.

The section now given to the public embraces the period from 1500 to 1650. The account of the so-called Reformation is especially interesting. It would be well nigh impossible to find elsewhere a more reliable and succinct account of all the events collectively so designated, than is to be got in these pages. Ever so much has been written by Catholics and by non-Catholics on the subject, and it seems that whatever was best has been utilized here. The chapters on the Council of Trent and on the foundation of the Society of Jesus will, in particular, repay careful study. The second part takes up the results of the Reformation in Europe, and then describes Jansenism, Molinism, etc. It ends with a survey of the Church's conquests in Asia, Africa and America. To praise such a work is as superfluous as it would be unbecoming.

R. W.

THEOLOGIA BIBLICA. M. Hetzenauer, O.S.F.C. Herder. 1908.

ONLY a few months have passed since his critical edition of the Vulgate appeared, a work which, by the way, won for

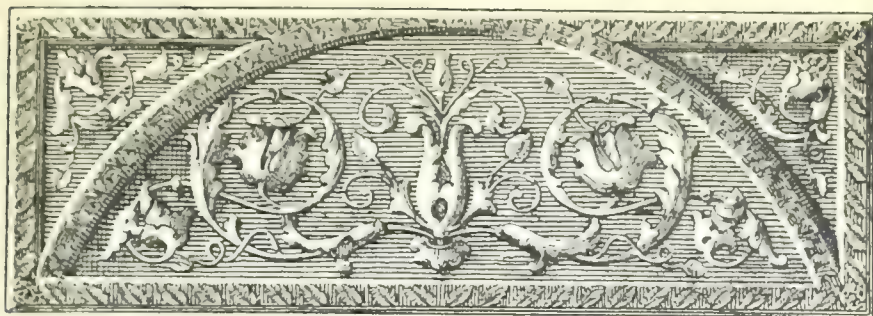


him the admiration and the gratitude of all biblical scholars, and now Father Hetzenauer publishes a large and learned volume on the history and theology of the Old Testament. In its first part he puts before us in clear language that long course of events which prepared the world for the coming of the Redeemer. Many *questiones vexatae* of chronology have been looked at in his pages, and everywhere it is plain from his remarks that he is abreast of modern science. This part of his work reminds one of *La Bible et les Decouvertes Modernes*, by Vigouroux. The author avails himself of the aids and illustrations afforded by the recent discoveries in Assyria, Egypt, etc. Thus he introduces the student to these subsidiary departments of knowledge and lays part of the foundations for a thorough knowledge of Bible history.

In the chapters devoted to the theology of the Old Testament, the student will find among other useful things a very careful explanation of the divine names, Jahve, Elohim, etc., also an account of the knowledge which the Israelites possessed of the Trinity, then the nature and contents of the Messianic prophecies, etc. And in the concluding section there is a compendious geography of Scriptural countries accompanied by excellent maps.

Father Hetzenauer makes no truce with Modernism. His work is stamped throughout by chivalrous loyalty to the teaching of the Holy See. At a time when some well-meaning but ill-educated Catholic writers have wavered or been afraid, it is a pleasure to read this outspoken declaration of orthodoxy. His exegetical principles are the true ones. Perhaps a few remarks here and there about certain individuals may seem to be uncalled for, but is not with them personally but with their principles that Father Hetzenauer is concerned, and he has done well to put young and inexperienced readers on their guard. The present volume we are glad to learn is only the forerunner of a more detailed work. We are grateful for what he gives us now, and can heartily recommend it to all that are desirous of having a reliable work on some of the most important among the biblical questions of the day.

R. W.



## THE DOCTRINE OF THE MASS IN THE INFANT CHURCH

TWO of the most prominent features of the Mass at the present time are its daily celebration and its application to the living and the dead. They can be recognized, too, in the early period with which I have to deal. St. Justin, indeed, mentions only the Sunday celebration of the Eucharist.<sup>1</sup> Tertullian is an authority for the further belief that the Mass was celebrated on the principal fast days of the week, Wednesday and Friday.<sup>2</sup> Always a prolific source of information, St. Cyprian is a witness for the fact that there was a daily celebration of the sacrifice.<sup>3</sup> Moreover, he tells us that this unceasing oblation was offered for the living who were not banned by an early species of excommunication.<sup>4</sup> Thus, at so early a period was its dynamo-like store of intercessory power utilized in behalf of the needy living. Its inexhaustible treasures extended even beyond the grave, appeased God, and afforded refreshment to the departed soul. A commemoration was made at 'the altar' for the deceased person's 'repose,' to borrow some of St. Cyprian's words.<sup>5</sup> How like the present time! How

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<sup>1</sup> *Apol.*, i., 67.

<sup>2</sup> *De Oratione*, chap. 19.

<sup>3</sup> Ep. 54—'Sacrificia Deo quotidie celebramus.'

<sup>4</sup> Cf. Ep. 15, section 2. It was offered for the lapsed, but not before penance.

<sup>5</sup> 'If anyone should do this, no offering should be made for him nor any sacrifice celebrated for his repose (*pro dormitione ejus*). For he does not deserve to be named at God's altar in the prayers of the priests.'—Ep. 1, 2.

the second and third centuries witness with a compelling force to the true faith of the twentieth! How even the subterranean hiding-places of the hunted Christian preach in their symbolic language the sacrifice of the Eucharist! The catacombs of Priscilla and Callistus significantly represent in conjunction the Eucharistic Bread and the bloodless sacrifice of Isaac.<sup>1</sup> We may well rejoice that our sacrificial doctrine is in harmony with the faith of the Catacombs, with the faith of St. Cyprian's time, which gave birth to innumerable martyrs rather than change the minutest portion of the teaching handed down from the revered Master.

Viewing anything which would support the Catholic doctrine of the Mass with a considerable amount of suspicion, non-Catholic critics were slow to admit in tradition an early origin for the sacrificial concept of the Eucharist. Not very long ago Catholics, because they were used to such things, were not surprised at hearing extravagant statements that the public worship at which they often daily assisted was a blasphemous superstition, a diseased growth of the medieval Church. A deeper study of history has sobered the tone of our opponents' charges. In comparatively recent times Anderson maintained that the idea of the Eucharistic sacrifice<sup>2</sup> arose with St. Cyprian, or, at the very earliest, with Tertullian. Harnack<sup>3</sup> deserves the credit of making a further concession to the Catholic position, holding that it sprang much earlier into the consciousness of the Church. When one examined the explicit statements of the *Didache*,<sup>4</sup> when one adverted to what was plainly implied by Clement of Rome in illustrating the offerings of gifts on the part of bishops and deacons by the functions of the Jewish priests and levites, such a conclusion cannot fail to force itself into the mind. Harnack traces the origin of the idea in part to a Christian interpretation of the famous chapter of the prophet Malachy<sup>5</sup> dealing with 'the clean oblation.' Like many critics who

<sup>1</sup> Cf. Gehr, " *The Holy Sacrifice of the Mass*, p. 113.

<sup>2</sup> Cited by Mgr. Batiffol, *Etudes*, ii., p. 150. <sup>3</sup> *Dogmengeschichte*, i, 37.

<sup>4</sup> Chap. xiv. <sup>5</sup> Malachy i, 10-12.



are inclined to attach undue influence to evolutionary hypotheses, he also finds in the Eucharistic sacrifice a natural development of the Agape, the gifts of which—according to him—would in time be regarded as sacrificial. But he seems to approach nearer the truth when he finds the germ of the doctrine in the text, ‘Do this in commemoration of Me,’ where *do* is interpreted as meaning a liturgical act. If one did not know the easiness of an appeal to interpolation, it would seem passing strange that Harnack should have passed over the idea of blood-shedding so emphatically associated with the Eucharist in St. Matthew, St. Luke and St. Paul.

Having cast this glance on the beginnings of the sacrificial concept of the Eucharist, I proceed to inspect more closely the period embracing the last half of the second century and the first half of the third. This period has been selected because from the days of St. Justin to those of Cyprian there is found an epoch which, though comparatively brief, is singularly fruitful in evidence about the truth of the Eucharistic sacrifice, and in doctrinal development regarding its precise nature. Transferred in spirit from the great Eucharistic treatises of the present day to the incidental remarks of the early apologists, the reader may at times find himself not a little surprised at the indefiniteness of that doctrine but, after all, he must remember that he is dealing with a theological era unrefined by the definitive work of the Lateran Council, of Scholasticism, and of Trent.

#### I.—THE WEST AND THE DOCTRINE OF A STRICT SACRIFICE

That the Eucharist, therefore, is in some sense a sacrifice, is clear even from the documents written about the end of the first century. The important question is whether in the period under consideration it was taught explicitly as a sacrifice in the strict sense, as ‘an offering made to God of a sensible thing through its destruction.’ What makes one cautious in suggesting an answer is the consideration

that the word 'sacrifice' was then commonly predicated of a variety of things, of obedience, of the consecration of the body and soul to God, of prayer and thanksgiving, as well as of the liturgical function comprising prayer and the Eucharist.<sup>1</sup> But in estimating the different testimonies of the time, I shall, at any rate, endeavour to hold fast this canon of historical criticism—to avoid reading into early writers concepts of a later date and to extract from them the bare content of their language.

St. Justin (flourished A.D. 161), who spent the later portion of his life in Rome, may be cited as a witness of the Western tradition. He frequently speaks of the Eucharist as a sacrifice.<sup>2</sup> He mentions the 'offering of sacrifices in the Eucharist of the bread and of the cup.' In another passage he speaks of 'the bread of the Eucharist which Jesus Christ our Lord commanded us to offer in remembrance of His passion.'<sup>3</sup> That St. Justin had the substance of the Catholic doctrine regarding the Eucharistic sacrifice is implied in the comparisons which he adduces from the Old Testament. He discovers in the Eucharist the clean oblation foreshadowed by Malachy, and the very contrast of this new offering with the strict sacrifices that had been abolished furnishes a strong indication that the new oblation is also a strict sacrifice. Besides, St. Justin considers the offering of flour made by the Jewish lepers a type of the 'Eucharistic bread which our Lord commands us to offer.'<sup>4</sup> Now in the prototype there is question of a true sacrifice; the leper is commanded 'to offer three-tenth parts of flour mixed with oil for a sacrifice.'<sup>5</sup>

St. Justin's doctrine is somewhat indefinite when he proceeds to discuss the object of the sacrificial act. 'That we are not atheists what moderate person will not confess from our worship of the Creator of the Universe whom we assert, as we have been taught, to have no need of sacrifices of blood and libations and incense, but whom we praise

<sup>1</sup> Cf. Harnack, *Dogmengeschichte*, i., 37; and Migne, *P.L.*, Edition of Tertullian, i., Index sub voce 'Sacrificium.'

<sup>2</sup> *Dial.* 41 and 117.    <sup>3</sup> *Dial.* 41.    <sup>4</sup> *Dial.* 41.    <sup>5</sup> Levit. xiv.

to the best of our power with the reasonable service of *prayer and thanksgiving* in all our oblations.'<sup>1</sup> The same idea is expressed less definitely in the following passage: 'That prayers indeed and thanksgivings (or possibly 'Eucharists') offered up by the worthy are the only sacrifices which are acceptable to God is what I myself also affirm.'<sup>2</sup> St. Justin here seems to be straining the teaching of St. John about the true spiritual worship. It must be confessed, also, that in the passages which I cited in the beginning St. Justin speaks of the Eucharistic bread as the object of the offering. This does not of necessity mean that it is the object of the *sacrifice*. Was not common bread for a long time in the Latin Church offered on the altar, and distributed to the people? Yet this does not imply that it was the object of the sacrificial act. At one time testifying that prayer is the essential element in sacrifices, at another time proposing the Eucharistic bread as the object of the offering, St. Justin's language exhibits some hesitancy in defining the precise object of the sacrifice of the Eucharist. It is noteworthy that the bread which is offered is identified with the body and blood of Christ. 'The food blessed by the word of prayer proceeding from Him is His flesh and blood.'<sup>3</sup> St. Justin is clearly a realist, as Harnack<sup>4</sup> also admits.

Born in Asia Minor, a visitor in Rome, and Bishop of Lyons, St. Irenæus (flourished A.D. 177) may be said to unite in himself the tradition of the East and West. His characteristic teachings on sacrifice bear a strong resemblance to those of St. Justin. Throwing merely material sacrifices into the background, his writings constantly bring internal worship into bold relief. 'God does not seek sacrifices and holocausts, but faith and obedience and righteousness.'<sup>5</sup> Although he may be said to use hyperbole in pleading for the religion of the heart, he does not altogether exclude external worship. 'Giving directions to His disciples to offer to God the first-fruits of His own created things—not as if He stood in need of them, but that they

<sup>1</sup> *Apol.* i., 13.    <sup>2</sup> *Dial.* 117.    <sup>3</sup> *Apol.* i., 66.    <sup>4</sup> *Dogmengeschichte*, i., 37.

<sup>5</sup> *Adv. Haer.*, iv., 17.4.



might be themselves neither unfruitful nor ungrateful—He took that created thing, bread, and gave thanks, and said, this is My body . . . and taught the new oblation of the new covenant . . . concerning which Malachy spoke beforehand.’<sup>1</sup> When one remembers that the context labours God’s independence in regard to the Jewish sacrifices, one must conclude that St. Irenæus regarded the offering of the first-fruits in the new dispensation as also a true sacrifice. This conclusion is confirmed by the following passage: ‘The class of oblations in general has not been set aside for there were oblations there (among the Jews) and there are oblations here (among the Christians); sacrifices there were among the people, sacrifices there are, too, in the Church.’<sup>2</sup> It is interesting to note that it was the opinion of St. Irenæus that the purity of the oblation predicted by Malachy arises from the dispositions of the Church. ‘Because the Church offers with single-mindedness its gift is justly reckoned a pure sacrifice with God.’<sup>3</sup>

What is the object of the sacrificial act according to St. Irenæus? What is the victim? ‘Giving directions to His disciples to offer to God the first-fruits of His own created things’—this is the only solution offered. It is repeated in another statement: ‘The Church alone offers this pure oblation, offering to Him with thanksgiving out of His own creation.’<sup>4</sup> Though these first-fruits are elsewhere identified with the body and blood of Christ,<sup>5</sup> this does not signify that St. Irenæus has certainly reached a stage of evolution when Christ Himself was formally believed to be the object of the sacrificial act. The following passage, however, is quoted to show that St. Irenæus anticipated even St. Cyprian in teaching this development: ‘But the Jews do not offer this for their hands are full of blood because they received not the Word through whom it is offered to God (or *who* is offered to God).’<sup>6</sup> The second reading, however, is less likely, for in clearer passages he simply speaks of the first-fruits as the object of the offering. The time does not appear ripe as yet for further doctrinal development.

<sup>1</sup> *Adv. Haer.*, iv., 17.5.    <sup>2</sup> *Adv. Haer.*, iv., 18.2.    <sup>3</sup> *Adv. Haer.* iv., 18.4.  
<sup>4</sup> *Idem.*    <sup>5</sup> *Idem.*    <sup>6</sup> *Idem.*

We have seen that St. Justin, while admitting the Eucharist to be a sacrifice, speaks at times of prayer as its object. The same tendency of mind, the same emphasis on the spiritual aspect of the New Testament oblation could be traced in St. Justin's pupil, St. Irenæus. A similar characteristic will be found on examining the doctrine of Tertullian (flourished A.D. 199). This is but the zealous striving of early theologians to find a solution of the spirituality of the new sacrificial Victim. Yet Tertullian in no obscure manner implies the doctrine of the Eucharistic sacrifice. This cannot be proved from his mere use of such words as sacrifice and oblation. With Tertullian *sacrificium*<sup>1</sup> very frequently means prayer and works of mortification. Though it can scarcely be shown from his writings that Tertullian formally speaks of the Eucharist as a sacrifice in a distinct and stricter sense, there are texts which unquestionably imply the doctrine.

Similarly on the fast days many think they need not participate in the prayers of the sacrifices. . . . Will not your fast be all the more solemn if you stand at the altar of God? When you receive and store up the body of the Lord, you place in security both the participation in the sacrifice and the fulfilment of duty.<sup>2</sup>

Here the combination of the reference to God's altar with the mention of the Eucharist insinuates its sacrificial character. 'We do not sacrifice (to idols) because we cannot eat the Supper of the Lord and that of demons.'<sup>3</sup> Here Tertullian echoes the Pauline teaching, which—according to the Council of Trent—plainly implies that the Eucharist contains a sacrificial food just as such was found to be offered in the worship of idols.

But when speaking of the sacrifices found in the new dispensation, Tertullian makes some curious statements:—

We sacrifice for the salvation of the Emperor, but with

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<sup>1</sup> Cf. 'Ascendet Sacrificium tuum libera fronte' (*De Exhort. Cast. c. 11*). 'Nam et Sacrificia Deo grata dico, jejunia, et seras et aridas escas.'

<sup>2</sup> *De Oratione*, xiv., written while a Catholic.

<sup>3</sup> *De Spectaculis*, chap. 13.

*pure prayer* as God commanded, for the Maker of the Universe does not need any incense or blood.<sup>1</sup> . . . That God is not to be appeased by earthly sacrifices but by spiritual, we read according as it has been written—the sacrifice to God is a sacrifice of *praise*.<sup>2</sup>

Similarly, he interprets the ‘clean oblation’ to mean prayer. ‘The prophecy of Malachy will bear the same import . . . In every place there is offered to My name a clean sacrifice, i.e., the offering of glory and blessing and praise and hymns.’<sup>3</sup> As these statements that prayer is the essential element in sacrifices were made by Tertullian when a Montanist, it is open to anyone to reply that his words do not represent a Catholic mind. But a precisely similar current of thought will be found in the works of Tertullian written while he was still a loyal son of the Church :—

This, namely, prayer, is the spiritual victim which destroyed the former sacrifices. Why, He saith, the multitude of your sacrifices ? . . . Who sought them at your hands ? What God sought, the Gospel teaches,—there will come a time when the true worshipper will worship the Father in spirit and truth. . . . We are the true worshippers who praying in spirit sacrifice in spirit the prayer that is God’s own.<sup>4</sup>

Again, while a Catholic, he seemed to insinuate that the essential note of sacrifice is prayer. ‘I offer a rich and superior victim which He commanded, prayer, proceeding from a chaste body . . . not grains of incense worth one farthing . . . nor the blood of an inferior cow and after all those delinquencies a befouled conscience.’<sup>5</sup>

Tertullian seems to have had two currents of thought—the one tending to discern in the Eucharist a strict sacrifice, the other inclined to regard the essential element of all Christian sacrifices as prayer. As in the matter of the Real Presence he was a symbolist while remaining a realist according to some of the best critics,<sup>6</sup> so in the present case he

<sup>1</sup> *Ad Scapulam*, written when a Montanist.      <sup>2</sup> *Adv. Ind.*, 5, written while a Montanist.  
<sup>3</sup> *Adv. Marc.*, lib. iii. chap. 22 (Montanist).  
<sup>4</sup> *De Oratione*, chap. 27.      <sup>5</sup> *Apol.*, chap. 30.      <sup>6</sup> Cf. Batiffol, *Etudes*, ii., p. 198, and Harnack, *Dogmengeschichte*, t. 1, pp. 436, 437.



could have two imperfectly defined trains of thought which were corrected and harmonized by subsequent developments. That, to say the very least, Tertullian's doctrine about the object of the Eucharistic sacrifice was not fully evolved, few will be disposed to deny. Where in all his writings can anyone find an explicit teaching that Christ is the object of the sacrificial act?

Soon after the days of Tertullian, if not belonging to his time, there came into being a kind of ritual called the Canons of Hippolytus. It is especially useful for our present purpose, because a liturgical work does not reflect the views of any individual but crystallizes the belief of the Church. This treatise is commonly regarded as of Roman origin, though not the genuine composition of Hippolytus.<sup>1</sup> It is variously dated from the end of the second century to the sixth. Most likely it was in substance composed about the end of the second century.<sup>2</sup> Its account of the Agape, for example, bears a striking resemblance to Tertullian's. The Eucharist is designated as 'the oblation' *par excellence*. 'Let the deacon bring the elements of the Mysteries and then let the bishop begin the oblation.'<sup>3</sup> In the form for ordaining a bishop, which is in substance that prescribed for a priest, God is prayed to accept his offerings. 'O Lord, accept his prayer and oblations which he shall offer by day and night, and let them be unto thee a sweet-smelling odour.'<sup>4</sup> ... 'Let him who has been appointed bishop place his hands upon the oblations together with the presbyters.'<sup>5</sup> It is evident from these texts that the Eucharist is in some sense an oblation, though we have not a formal distinction that it is an oblation in a different sense to that in which Tertullian would speak of mere prayer. Neither is there an explicit reference that the body of Christ is the object of the sacrifice, though the Canons of Hippolytus are a witness of realism: 'Let the bishop deliver to them the body of Christ, saying this is the body of Christ.'<sup>6</sup>

The elaboration of these developments which are absent

<sup>1</sup> Cf. Keating, *The Agape*, p. 110.

<sup>2</sup> *Idem.*

<sup>3</sup> *C.H.*, xix., 142.

<sup>4</sup> *C.H.*, iii., 11-18.

<sup>5</sup> *C.H.*, iii., 20.

<sup>6</sup> *C.H.*, xix., 146, 147.

in previous writers is the characteristic work of St. Cyprian (flourished A.D. 248). For clearness and precision the doctrine of the Eucharistic sacrifice reaches its culminating point in the martyred Bishop of Carthage. Reading his sixty-third Epistle, one almost feels that he is reading a modern treatise on the Mass—so clearly are the main phases of Catholic doctrine expressed therein. That there is a specific priesthood, that the Eucharist comprised a strict sacrifice, that the object of the sacrificial act is the precious body and blood of Christ, that participation in the oblation mystically incorporates the faithful in Christ, these are the commonplaces of St. Cyprian's teaching. All this is admitted by so exacting and rationalistic a critic as Harnack.<sup>1</sup> Passing from the partial obscurity of the writings of St. Justin, St. Irenæus, and Tertullian, Catholic doctrine, as if in one bound, sprang into the almost perfect state in which we see it in St. Cyprian. Yet it may be presumed with Harnack<sup>2</sup> that the Carthaginian Father found some of those developments already elaborated in the Church. Speaking of the Eucharist, he lays no claim to originality, but emphatically proposes his teaching as Apostolic and Divine.

He claims that the Eucharist is a sacrifice of Divine institution. 'Some either by ignorance or simplicity in consecrating the cup of the Lord, do not that which Jesus Christ, our Lord and God, the *Teacher and Founder* of this sacrifice, did and taught.'<sup>3</sup> It is a strict sacrifice.

For, if Jesus Christ our Lord and God is Himself the Chief Priest of God the Father, and has first offered Himself a sacrifice to the Father, and has commanded this to be done in commemoration of Himself, surely that priest truly discharges the office of Christ who imitates what Christ did; and he then offers a true and full sacrifice in the Church to God the Father when he proceeds to offer it according to what he sees Christ Himself to have offered.<sup>4</sup>

Here one will observe that it is the Lord's Supper which is called a sacrificing of Christ for this it is which Christ

<sup>1</sup> *Dogmengeschichte*, t. ii., chap. 3.    <sup>2</sup> *Idem*.    <sup>3</sup> Ep. 63.    <sup>4</sup> *Idem*.

commanded to be continued in commemoration of Himself. The use of the pronoun 'this' shows that the Eucharist is identical with the Lord's Supper and itself a sacrifice. That the Lord's Supper, and, consequently, the Eucharist, is a sacrifice in as strict a sense as Melchisedech's offering, is implied in the following rhetorical question: 'Who more a priest than Jesus Christ who offered a sacrifice to God the Father, and offered that very same thing which Melchisedech had offered, that is, bread and wine, to wit, His body and blood?'.<sup>1</sup>

The object of the sacrificial act is defined as the body and blood of Christ, nay the passion of the Lord. 'Hence it appears that the blood of Christ is not offered if there be no wine in the cup.'<sup>2</sup> . . . 'And because we make mention of the passion in all sacrifices (for the Lord's passion is the sacrifice which we offer) we ought to do nothing else than what He did'<sup>3</sup>

In this connexion a difficulty arises in St. Cyprian's teaching. Many passages show that he symbolises when treating of the Eucharist. The question, then, is how can the body of Christ be really the object of the sacrificial act? We find, for example, St. Cyprian's subtle genius analysing in the Eucharist symbols like the following: 'Because Christ bore us all in that He also bore our sins, we see that in the water (used in the oblation) is understood the people but in the wine is shown the blood of Christ.'<sup>4</sup> The bread, too, is an emblem of the intimate union existing between the faithful and Christ's body. 'In this very sacrament our people are shown to be made one so that in the same way as many grains collected and ground and mixed together into one mass make one bread; so in Christ, who is the heavenly bread, we may know that there is one body with which our number is joined and united.'<sup>5</sup> How explain this symbolism? With Mgr. Battifol<sup>6</sup> it can be well said that St. Cyprian, like Tertullian, Clement, and Origen, is at once a symbolist and realist. Profoundly realistic though

<sup>1</sup> Ep. 63.<sup>2</sup> *Idem.*<sup>3</sup> *Idem.*<sup>4</sup> *Idem.*<sup>5</sup> *Idem.*<sup>6</sup> *Etudes*, ii., p. 198; cf. Harnack's *Dogmengeschichte*, t. 1, pp. 436, 437.



it be, Catholic theology to-day designates the Sacred Species by the suggestive name of 'sacramental symbols.' That St. Cyprian is both a symbolist and realist, is satisfactorily shown by an appeal to facts: 'Because we make mention of the passion in all sacrifices (for the Lord's passion is the sacrifice which we offer), we ought to do nothing else than what He did. For the Sacred Scriptures says, as often as ye eat this bread and drink this cup, ye do *show forth* the Lord's death until He come.'<sup>1</sup> So unconscious was St. Cyprian of any opposition between his symbolism and realism, that in the same breath he gave expression to both concepts.

Further, there is a strong statement of St. Cyprian which suggests that an actual *blood-shedding* is found in the sacrifice of the Eucharist. In the period under consideration this is the first time we find a hint of mystic destruction. 'In this manner, (by fearing before persecutors to have the odour of wine) the brotherhood is beginning to be kept back even from the passion of Christ, in persecution, by learning to be disturbed in the offering concerning His blood and His blood-shedding. . . . But how can we shed our blood for Christ who blush to drink the blood of Christ?'<sup>2</sup> Manifestly there is question of the Eucharist in this passage. For the fact was that some early Christians feared to appear before persecutors with the odour of wine, arising from the sacramental species. There is not question of a mere representation of the former blood-shedding of Christ for the reality is also present,—there is the strong assertion about the drinking of the blood of Christ.

One or two further traits in the doctrine of St. Cyprian will be delineated and the sketch of his main ideas will be completed. The Eucharistic sacrifice incorporates the people in Christ's body. Here one will recall the fact that the Eucharist is a *communion*. He will recall the teaching of St. John: 'He that eateth my flesh and drinketh my blood abideth in Me and I in him.'<sup>3</sup> He will recall the strange doctrine of St. Paul<sup>4</sup> that even the eating of sacrificial

<sup>1</sup> Ep. 63.<sup>2</sup> *Idem*.<sup>3</sup> John vi. 57.<sup>4</sup> Cf. 1 Cor. x.

meats offered to idols caused a union with the demons who are conceived as present in the temples devoted to false worship :—

We see [writes St. Cyprian] that in the water is understood the people, but in the wine is shown the blood of Christ. But when the water is mingled with wine in the cup, the people are made one with Christ. . . . For if anyone offer wine alone, the blood of Christ is *disassociated* from us; but if the water be alone, the people are disassociated from Christ.<sup>1</sup>

The essence of this union St. Cyprian omits to elaborate.

## II.—THE EAST AND THE EUCHARISTIC SACRIFICE

Harnack<sup>2</sup> maintains that with the exception of one passage in the Apostolic Church Order,<sup>3</sup> there is no proof that in the East, before Eusebius' time, the Last Supper was regarded as a sacrifice of the Lord's body. It is further maintained by Harnack that in Origen there is no trace of a repeated sacrifice of Christ. Though one may concede that the Oriental writers do not exhibit notions as defined as the Westerns, one can maintain that they furnish certain indications confirming the doctrine already gleaned from the West. The statement that in Origen there will be found no trace of a repeated sacrifice of Christ is simply a strong assertion unsupported by facts.

I shall begin with Origen's master, Clement of Alexandria (flourished A.D. 192), the great founder of the Alexandrian school, from whom Origen presumably derived many of his teachings. Like St. Irenæus, Clement seems to have used hyperbole in emphasising the superiority of internal worship over, at least, the sacrifices of the Old Law. Concerning the latter he speaks contemptuously, denominating prayer and praise the best sacrifice.<sup>4</sup> Dwelling thus on the importance of the inner worship, he seems at first sight to reject all strict sacrifices.

<sup>1</sup> Ep. vi. 3.

<sup>3</sup> Cf. *Didache*, cxiv.

<sup>2</sup> *Dogmengeschichte*, t. ii., c. iii.

<sup>4</sup> *Stromata*, vii., c. 6.

The altar, then, that is here with us, the terrestrial one, is the congregation of those who devote themselves to prayer.<sup>1</sup> . . . For this reason we rightly do not sacrifice to God who, needing nothing, supplies all things to all men; but we glorify Him who gave Himself in sacrifice for us, we also sacrificing ourselves . . . and neither by sacrifices nor offerings nor, on the other hand, by glory and honour is the Deity won over but He appears only to noble and good men who will never betray justice for fear nor for great gifts.<sup>2</sup>

Before, however, we can summarily regard Clement as opposed to the sacrificial doctrine of the Eucharist, we should pause to hear the other side. It must be remembered that he is not much later than St. Irenæus. It is not surprising that in Alexandria the elements of a strict sacrifice were not yet fully defined and explicitly attributed to the Eucharist. Witness how many centuries it required to determine the notes of a true sacrament. If not entirely satisfied by *a priori* considerations of this nature, one can fortunately discover facts in Clement's own writings to show that, so far from containing no trace of the Eucharistic sacrifice, he has all the premises from which the formal conclusion may be deduced. 'Those destitute of prudence, i.e., those involved in heresies, I enjoin, remarks Wisdom, touch lightly stolen bread and the sweet waters of theft, the Scripture manifestly applying the terms bread and water to nothing else but those heresies which employ bread and water in the oblation, not according to the rule of the Church.'<sup>3</sup> Although nowadays one may not consider this typical sense so violently manifest, yet he will discover in the passage Clement's belief that the Eucharist is an oblation of some kind. This does not clearly prove, however, that Clement explicitly believed the Eucharist to be a strict sacrifice. The blessed bread, which was wont to be distributed in the Latin Church, might be said to be offered. Regarding the Eucharistic sacrifice, there is a clearer passage which will now be cited: 'For Salem is, by interpretation, peace; of which our Saviour is enrolled King as Moses speaks of Melchisedech, King of Salem, priest of the

<sup>1</sup> *Stromata*, vii., c. 6.<sup>2</sup> *Idem*, vii. c. 3.<sup>3</sup> *Idem*, i. c. 19.



most high God, who gave bread and wine, consecrated food, for a type of the Eucharist.'<sup>1</sup> What further data does even a modern theologian require in proving that the Mass is a true sacrifice? Estimating the testimonies which may be urged from Clement's writings to favour or oppose the present Catholic doctrine, one can say, at most, that he does not formally teach a strict Eucharistic sacrifice. But the seed of the doctrine is clearly found in his works. Seeing that symbolism does not of necessity exclude realism, Clement in the present question, perhaps, indulges in his favourite allegorising, and, while holding prayer to be the perfect sacrifice ultimately typified, at the same time formally believed the Eucharist to be a true sacrifice.

Clement's pupil, Origen (flourished A.D. 230), if we are to believe Harnack's assertion already quoted, does not present a trace of a repeated sacrifice of Christ. The statement can best be tested by bringing it to the touchstone of facts. Like his master, Clement, Origen indeed speaks of sacrifices with undisguised contempt. He can, however, be understood as meaning to exclude the antiquated offerings of the Old Law.<sup>2</sup> If one were not free to object Origen's undoubted habit of allegorising, the following testimonies would furnish direct and overwhelming evidence against Harnack's position. In any case they will indirectly show Origen to be a witness of the traditional faith in the sacrifice of the Eucharist. 'Again, Celsus,' he writes, 'wishes to be thankful to these demons, imagining that we owe them thank-offerings . . . and indeed we have a symbol of gratitude to God in the bread which we call the Eucharist.'<sup>3</sup> Through the context, the Eucharist is here shown to be a thank-offering in some sense. 'He who considers that Christ our passover was sacrificed for us, and that it is his duty to keep the feast by eating of the flesh of the Word, never ceases to keep the paschal

<sup>1</sup> *Stromata*, iv., c. 25.

<sup>2</sup> Cf. *Contra Celsum*, viii., 57: 'Indeed they, the aeons, are much more thankful if we refrain from offering sacrifices to them, for they desire not the odours ascending from the earth.'

<sup>3</sup> *Contra Celsum*, viii., 57.

feast.<sup>1</sup> The Eucharist, evidently, is insinuated by the phrase, 'eating the flesh of the Word,' and it is said to be a continual repetition of the ancient Paschal feast which was anything if not sacrificial.

When you see the Gentiles embrace the faith, churches being built, *altars* no longer sprinkled with the blood of herds but *consecrated with the precious blood of Christ*, when you see priests and levites administering no longer the blood of heifers and bulls, but the word of God through the grace of the Holy Ghost, then say that Jesus in succession to Moses has received and held the primacy, not Jesus the Son of Nave, but Jesus, the Son of God.<sup>2</sup>

These and similar texts from Origen would be simply invincible testimonies in favour of the Eucharistic sacrifice if it could not be objected that 'altars' in the last quotation might easily in Origen's mind be taken in an allegorical sense, and that according to the analogy of other texts 'the precious blood' might only mean the doctrine of Christ.

That bread, which the Divine Word called His body is the Word nourishing souls, *the Word proceeding from the Divine Word* . . . and the drink which the Divine Word called His blood is the Word which satiates and wonderfully inebriates the hearts of the drinkers. For the Divine Word did not call the visible bread which He held in His hands, His body, but He so denominated rather the Word in whose mystery that bread had to be broken. Nor did He call the visible drink His blood.<sup>3</sup>

Here Origen sees in the Eucharist only the word proceeding from the Logos, or the doctrine of Christ. Betrayed by his genius into over-subtle speculations, and unsupported by authoritative definitions of the doctrine, Origen imprudently allegorises in dealing with the very words of the institution of the sacrament. According to Origen, there is in Scripture a sense for the simple and for the illuminated :—

This bread and wine may be understood by the simple

<sup>1</sup> *Contra Celsum*, viii., c. 22.

<sup>2</sup> *In Librum Jesu Nave*, ii. 1.

<sup>3</sup> *In Matt. Commen.*, ser. 83.

people according to the received interpretation in the subject of the Eucharist, but those who have learned to listen more closely will understand according to the more Divine promise of the Word which nourishes us with the truth.<sup>1</sup>

Although with Mgr. Battifol one can reasonably hold that Origen is also a realist,<sup>2</sup> one must concede that the symbolic sense is prominent in the writings of the great Alexandrian. It can consequently be objected that Origen in the earlier passages quoted meant a repetition in some symbolical sense of the Paschal sacrifice. But as his allegorizing concerning the real presence of Christ in the sacrament only shows that the simple faithful took the matter literally, so his allegorizing, if it be such, about the Eucharistic oblation would only furnish traces of the belief of ordinary Christians in a real sacrifice of the Eucharist long before the subtle interpretations of brilliant Alexandrians could even attempt to influence the rank and file of the Church.

A few remarks will suffice to close the sketch of the teaching of the Orientals. Harnack admits that the original of the first six books of the Apostolic Constitutions, which he supposes to have an Eastern origin, regarded the Lord's Supper as a strictly sacerdotal function.<sup>3</sup> He testifies, however, that there is in them no formal reference to a continued sacrifice of Christ. It will be remembered that these first six books embody the document known as the *Didascalia*.<sup>4</sup> Consider the following passage from that portion of the Apostolic Constitutions which Harnack<sup>5</sup> admits as reflecting very early practice, and in which the Eucharist is not only said to be a sacerdotal function but an oblation made to God: 'Those which were then first, fruits and types and offerings and gifts, now are oblations, which are presented by holy bishops to the Lord God.

<sup>1</sup> In *Johann. Comment.*, xxxii, 24.

<sup>2</sup> Origen speaks of caution in preventing the Eucharist from falling, *Exod.*, hom. xiii.

<sup>3</sup> *Dogmengeschichte*, t. ii., chap. 3.

<sup>4</sup> The *Didascalia* is attributed by Harnack to the early half of the third century, though by others to the fourth. Cf. *Geschichte der Altchristlichen Literatur*, ii. 2, p. 488, sq.

<sup>5</sup> *Dogmengeschichte*, t. ii., ch. iii.



. . . For these are your high-priests as the presbyters are your priests.'<sup>1</sup> Though the Eastern Church, as far as we know it, does not exhibit notions about the Eucharistic sacrifice as evolved as those of the Western, this is far from implying the faintest opposition between the doctrines of both. When we recall that St. Justin, though he died in Rome, was born in Palestine, and was presumably acquainted with Eastern traditions, when we remember that St. Irenæus, born in Asia Minor and bishop in Gaul, represents the Oriental as well as the Western teaching, when we advert to the stray gleams of the truth found in Clement and Origen, when we remember that it is scarcely possible that the Eucharistic sacrifice could be everywhere taught in the West as a Divine tradition, and yet no trace of it be found in the East, we must feel assured in the belief that the doctrine was in its main outlines known in Jerusalem, Alexandria, Carthage, and Rome.

### III.—THE PRIESTLY QUALITY OF THE MINISTER

Since sacrifice and priesthood are correlative terms, the treatment of the latter must shed an increase of light on the former. If it can be shown that there were true priests in the infant Church, it will be new proof that there was a true sacrifice. As might be expected there is a want of agreement between Catholics and Protestants on the question. In all the unhesitating confidence with which a Darwinist would give the animal pedigree of man, Harnack<sup>2</sup> elaborates a complete theory concerning the evolution of the priesthood, not merely of the doctrine but even of the objective institution. The ancestors of the priests were the possessors of the teaching charisms,—the prophets, apostles, and teachers. Thus the *Didache* assigns<sup>3</sup> to the prophet the presidency over the liturgical function. When these temporary gifts, which served to foster an infant Church, were no longer needed, the specially-gifted ministers were merged in the new order of bishops, priests, and

<sup>1</sup> Book ii., sec. 25.    <sup>2</sup> *Dogmengeschichte*, t. i, chap. 3.    <sup>3</sup> Chap. x.

deacons. The special duty of the bishop was in connexion with the liturgical function of the Eucharist. About the middle of the second century, however, the whole community possessed the priesthood. This homogeneous mass was not to remain always so. As in the case of other evolutions, there gradually was effected a division, a new variety developed, and assumed characteristics distinct from the main body; there was produced, in other words, towards the end of the second century the priesthood of a special caste. Thus, at least one hundred years after the death of the oldest Apostle, we hail, with Harnack, fully evolved sacerdotalism, that awful bug-bear of our separated brethren!

But we are not yet satisfied. What of the assertion that in the middle of the second century, at the commencement of the period considered in the present essay, the priesthood was common to the whole congregation? At most, this is but a theory. While Harnack deserves consideration as a witness of early teachings, he does not merit the same confidence in his generalizations from the admittedly scant testimonies of early centuries. Unsupported by the sheet-anchor of a Divinely-appointed teaching authority, his private judgment betrays him into theories, ingenious indeed but unreliable. As for Catholics, their generalizations are already made by tradition, which was articulated in the voice of Trent, that there exists a hierarchy of Divine institution. Presumably, indeed, there was in the course of time a more precise determination of minor principles of the doctrine which were before somewhat indeterminate, but there was not and could not be a development of the *thing*; the priesthood existed always in the Church.

Harnack's position can next be examined on critical grounds. The evidence on which he relies is supposed to be derived from SS. Justin and Irenæus, and to be echoed at a later date by Tertullian.

We, i.e., Christians, who through the name of Jesus Christ believe as one man in God, the Creator of all things . . . are the true high-priestly family of God as He Himself testifies,

saying that in every place among the Gentiles they offer sacrifices pure and well-pleasing to God.<sup>1</sup>

Here all Christians are in some sense said to be priests. There is no mention in St. Justin of a separate priesthood. The celebrant of the Eucharist is described by a name not more specific than 'president.'<sup>2</sup> From reading the brief references of St. Justin alone, it would, indeed, be left an undecided question whether the power of the priesthood was inherent in the whole community. But the matter can be satisfactorily determined from other sources.

St. Irenæus, too, dwells on the fact that the whole Church offers the sacrifice.<sup>3</sup> So far as he has written, he furnishes, however, indications suggesting that there was established by Christ a distinct priesthood. 'All the Apostles of the Lord are priests. They inherit neither fields nor houses, but ever serve the altar and God.'<sup>4</sup> Theirs is a 'Levite's portion.'<sup>5</sup> At most, the evidence of Justin and Irenæus is loose and indeterminate. At the present day Catholics can speak of the congregation as co-offerers of the Mass, and can echo in a sense the statement of St. Peter that the Christians are a royal priesthood. But to determine whether, in the middle of the second century, the main body of Christians truly possessed the power to consecrate the Eucharist, one is forced to draw upon other sources. One must recall how according to the Acts Paul and Barnabas were set apart from the multitude, and received a mysterious external rite consisting in prayer and the imposition of hands.<sup>6</sup> One must remember how according to numerous passages of the Pastoral Epistles a similar rite served as a channel for the Divine grace which was poured on the souls of the Church's officials.<sup>7</sup> Before the point of time discussed, there was, therefore, a carefully isolated order of rulers in the Church; afterwards, there was such in the admission of Harnack; the living continuity of Catholicity supposes that things were even so at the

<sup>1</sup> *Dial.* 116.

<sup>2</sup> *I. Apol.* 65.

<sup>3</sup> *Adv. Hæc.*, iv., 18.4, and iv., 17.5.

<sup>4</sup> *Adv. Hæc.*, iv., 18.3.

<sup>5</sup> *Idem.*

<sup>6</sup> *Acts* xii.

<sup>7</sup> 'Per prophetium cum impositione manuum presbyterii.' Compare  
1 Tim. iv. 14, 2 Tim. i. 6, and Titus i. 5.



moment about which there is controversy. We need not, therefore, resort to Harnack's theory that the Catholic office of priesthood is a copy of the Gnostic sacerdotalism or a debased reflection of the pagan mystagogue. The concept of 'priest,' indeed, was more commonly associated with the bishop or presbyter in the course of time. First, the members of the hierarchy were denominated presbyters and bishops; then, as early as Clement of Rome,<sup>1</sup> the word 'priest' was in use; finally, as we shall see in Origen, Tertullian, and St. Cyprian, it became the grand title common to both classes of elders. By virtue of the Mass and of absolution of sin, the presbyter gradually came to be denominated by a sacred name, *sacerdos*, which implied his intimate relation with the All-High.

Catholics have at least one Protestant critic, Harnack, agreeing with them in saying that the end of the second century admitted in theory and practice the priesthood of a distinct order. But they are far from having all. Going further than Harnack, a recent writer, Mr. Durell, holds that even at the end of the second century the priesthood was not the exclusive privilege of any caste, but was inherent in the whole congregation by whom it was delegated to individuals.<sup>2</sup> Seeing that this last position is forsaken by so unprejudiced a critic as Harnack, one may expect that the weight of evidence is against Mr. Durell. Fortunately, one can join issue with him on his own grounds, using the very document which he admits as belonging to the end of the second century,—the Canons of Hippolytus.

The word 'clerus,' or clergy, derived from a root signifying lot or portion, is everywhere in the Canons applied to the Church officials, and is not without suggestiveness that they are a separate class, divided by a clear-cut line from the ordinary laity.<sup>3</sup> Again, there is expressed the utter powerlessness of laymen in regard to official functions. 'It is not fitting for laymen to make the sign of the cross

<sup>1</sup> *Ep. ad Cor.*, chap. 40.

<sup>2</sup> *The Historic Church*, p. 306.

<sup>3</sup> Cf. ix. 56; xxviii. 206; xxi. 218 and 219.

over the bread (of the Agape).<sup>1</sup> Perhaps Mr. Durell's ingenuity will be able to reconcile this official powerlessness of the layman with his theory that even the power of the priesthood was resident in the whole body and that there was no separate sacerdotal caste. The prayer which accompanies the ceremony of the hand-imposing reads: 'Grant unto him, O Lord, the office of bishop';<sup>2</sup> and the people prayed: 'O God, strengthen him whom Thou hast provided for us.'<sup>3</sup> And yet Mr. Durell will tell us that the priests are the delegates of the people; would it not be more in accord with the obvious meaning of those texts to conclude that they are the ambassadors of God?

What supplies Mr. Durell with his sole support, is the following strange passage from the Canons of Hippolytus:—

When one has been found worthy to stand at the tribunal for the faith, and to receive punishment for Christ, but afterwards is pardoned and set free, such a one deserves the *rank* of presbyter in the sight of God, not in the way of episcopal ordination. Confession stands for ordination.<sup>4</sup>

The text before us, however, is not decisive in proving that those confessors of the faith, while having the rank, had also the functions of the priest; that, in other words, they actually consecrated the Eucharist. One feels not a little supported in this position when one knows that an able critic like Mgr. Batiffol does not see in the passage anything that would demonstrate a real sacerdotal power in those confessors.<sup>5</sup> He finds in the text strong evidence for his theory that in the early Church there were elders who had merely a title of honour without any sacrificial power. As at the present day a person may be elevated to one of the highest dignities of the Church, that of the Cardinalate, and yet may not possess the power of the priesthood, so there might have been kindred honours in the dim antiquity of Christianity. I do not believe, therefore, that we are necessarily forced to the conclusion that according to the Canons of Hippolytus Orders were, like Baptism

<sup>1</sup> C.H., iii., 17.

<sup>2</sup> C.H., iii., 17.

<sup>3</sup> C.H., ii., 7-10.

<sup>4</sup> vi., 43-47.

<sup>5</sup> *Etudes*, i., p. 264.

or Penance, generally necessary, but at times supplied by something corresponding to a reception by desire.

The testimony of Tertullian about the end of the second century will afford additional proof of the unsoundness of Mr. Durell's position. It is true, indeed, that Tertullian protests against a separate priesthood after he had crossed over to the Montanist visionaries who claimed to have their sanction directly from the Holy Ghost. But the protest of a schismatic or heretic does but testify to the faith of the main body of the Church. In characteristically bitter language, Tertullian complains that a separate clique have arrogated to themselves the priesthood; he deplores the alleged fact that laics have cast aside their priestly fillets;<sup>1</sup> he vigorously maintains that ecclesiastical authority alone has marked the line between the priest and layman;<sup>2</sup> he claims for all the faithful a sacerdotal power,<sup>3</sup> and asserts that as few as three laymen constitute the essentials of the Church.<sup>4</sup> It must be remembered that all this was spoken by a Montanist, and that the existing doctrine of a separate priesthood had to be recognized though with undisguised regret.

While yet a Catholic, he often admitted the principle which he afterwards vehemently impugned; he heaped upon the presbyter and bishop the honours which later he was so anxious to wrest from them. In his treatise on Baptism<sup>5</sup> he enthrones the bishop in the chair vacated by the Jewish order of high priests. He calls him 'Summus Sacerdos,' and that is not done in his usual ironical mood, as Harnack will agree.<sup>6</sup> In the Church he distinguishes without any protest the order of bishops, priests, and deacons.<sup>7</sup> At this time, therefore, sacerdotalism is shown to be an established factor of Christianity.

<sup>1</sup> 'Cum ad peraequationem disciplinae sacerdotalis provocamur, deponimus infulas et impares sumus' (*De Monog.* xii).

<sup>2</sup> 'Differentiaris inter ordinem et plebem constituit Ecclesiae auctoritas' (*De Exhort. Cast.*, c. 7).

<sup>3</sup> *Idem.*

<sup>4</sup> *Idem.*

<sup>5</sup> Chap. 17.

<sup>6</sup> *Dogmengeschichte*, t. ii., chap. iii. Addenda.

<sup>7</sup> *De Baptismo.*



Another Western writer, St. Cyprian, attests in a still more striking way the doctrine of a true and distinct priesthood. Unlike Tertullian, he does not assault the principle and practice of the whole Church, but he accepts the tradition as an unquestionable fact. His sixty-third Epistle, from which most of the evidence will be drawn, was written for the set purpose of opposing novelty, and it certainly would be strange if its universal insistence on a specific priesthood were not the ancient teaching, dating back to the Apostles and to the Saviour Himself. Christ is characterised by St. Cyprian as the truest of priests. 'Who was more a priest than Jesus Christ?'<sup>1</sup> The Lord in fact has fulfilled the type found in Melchisedech, who was himself a true priest.<sup>2</sup> Christ was shown to be a priest not only on the altar of the cross, but at the Last Supper.<sup>3</sup> But the duly appointed minister who imitates exactly what Christ did and taught 'discharges truly the office of Christ.'<sup>4</sup> This is but a sequel of the tradition that the Eucharist is identical with the Last Supper. Thus in St. Cyprian's reasoning the priesthood of Christ is ever continued in a true sense by His successors who consecrate the Eucharist.

Employing illustrations from the Old Testament that the Jewish priest should not be stained even with lighter guilt, St. Cyprian demands unblemished sanctity from the minister of the Eucharistic sacrifice. Before his ordination, uprightness must be apparent in the candidate,<sup>5</sup> and St. Cyprian applies to the case of an unworthy priest the admonition: 'God does not hear sinners.' Cautiously selected from the ordinary people who are not free from lighter guilt, priests, from the nature of the case, must be sharply divided from the laymen. They are encircled with a halo of sacredness; they are, in the words of St. Cyprian, 'the priests of God.' For the benefit of those who bemoan the growth of sacerdotalism in the later Church I may remark that even at this early period St. Cyprian everywhere in his writings applies the name *sacerdos* to the presbyters and bishops.<sup>6</sup> The rigid pertinacity with which

<sup>1</sup> Ep. 63.<sup>2</sup> *Idem.*<sup>3</sup> *Idem.*<sup>4</sup> *Idem.*<sup>5</sup> Ep. 67. 2.<sup>6</sup> Cf. whole of Ep. 63.

the Church in general, and St. Cyprian in particular, cling to the ancient tradition, furnishes an unanswerable argument against those who lightly assert that the doctrine of the priesthood is an adulteration of the pure Gospel, and marks the incipient stages of the paganising of Christianity.

In the Eastern tradition, too, the priesthood can be traced. Seeing that Clement of Alexandria's writings furnish indefinite testimonies regarding the Eucharistic sacrifice, it is natural that the same would be true of his evidence concerning its minister. His pupil, Origen, is a more useful witness of the sacerdotal idea in the Church. One will recall that in the passage already quoted Origen speaks of 'priests and levites administering the word' in the new dispensation.<sup>1</sup> The name, priest, is in common use in his writings. No positive indication can be urged that he is allegorizing in the use of the word. Rather the contrary is suggested by his comparison of the priests of the New Law with those of the Old. 'The priests of the (Old) Law are forbidden to offer Sacrifices for certain crimes. . . . So also the Apostles and the *priests* who are like them . . . know for what sins and when and how they should offer sacrifice.'<sup>2</sup> Thus we find clear indications in the East and West of a true priesthood.

At least towards the end of the second century the regular minister of the Eucharist was the bishop. In this connexion the testimony of the Canons of Hippolytus is particularly invaluable. 'Let the deacons bring the elements of the mysteries and then let the bishop begin the oblation.'<sup>3</sup> It would seem that in the beginning there was in very large districts only one Mass presided over by the bishop. Thus we learn that Anicetus, Bishop of Rome, yielded to Polycarp, Bishop of Smyrna, 'the Eucharist,' as a mark of special honour.<sup>4</sup> Here 'the Eucharist' must mean the celebration of the whole function, for, as Mgr. Batiffol<sup>5</sup> rightly argues, to give him merely Communion would be to treat the Bishop of Smyrna only as one of the ordinary faithful. When the Church gradually spread,

<sup>1</sup> *In Librum Jesu Nave*, ii., 1.

<sup>3</sup> xix.<sup>4</sup> Eusebuis, *H. E.*, v. 246.

<sup>2</sup> *De Oratione*, chap. 28.

<sup>5</sup> *Etudes*, ii., p. 155.

when it was no longer a select community that could assemble in an upper room, but a great organization requiring the celebration of its principal functions in divers centres, the presidency at the Eucharistic celebration would naturally devolve also on the priests of the second class. We find indications of this practice in the Canons: 'If, in the absence of the bishop, a presbyter is present, let all turn to him . . . and let them honour him as the bishop is honoured.'<sup>4</sup> In case of emergency, therefore, the priest could take the principal part in the celebration of the Eucharistic sacrifice.

#### V.—STRICT SACRIFICE IMPLIED BY THE WORD 'ALTAR'

As any reference in the early Church to the idea of priesthood must throw light on the sacrifice of the Eucharist, so is it with any mention of 'altars.' As the doctrine of sacrifice became more fully evolved, we should expect a more frequent use of this word, an expectation which is satisfied by an examination of the facts. It need not surprise us to find that at first the Eucharist is said to be celebrated at what was simply denominated a table. But the growing use of the technical word, altar, in Cyprian's days is very suggestive. It serves to prove that the doctrine, underlying the word, was being evolved to its utmost extent. On the other hand a rejection of the sacrifice would be followed by a rejection of the idea of altar. We are not surprised that the Protestant Church, breaking from the tradition of sacrifice, should give the word little space in her liturgy, that she should denude the confiscated Catholic chapel of its altars, or, at least, mutilate the tiny crosses marking their consecration, and that she should speak of the Lord's Supper as celebrated at a table with which no sacrificial idea is associated. This, however, will be found to be a serious break not merely with dark medievalism, but with the bright ages of Christian martyrdom.



St. Irenæus is the first Father in the period who frequently uses the word 'altar' in his writings. He describes the exclusive work of the Apostles as 'serving the altar and God.'<sup>1</sup> Speaking of the offering of the Eucharist, he writes: 'Thus He wills that we accordingly should offer the gift at the altar frequently, without intermission. . . . The altar, then, is in Heaven, for thither our prayers and oblations are addressed.'<sup>2</sup> Owing to this figurative reference to the Heavenly altar, the testimony of St. Irenæus does not decisively demonstrate that in his time the East and West—both of whose traditions he may be said to represent—designated by the name, altar, the table associated with the Eucharistic celebration.

By reason of a similar preference for figures and symbols, the testimonies of the two Oriental writers, Clement and Origen, are not altogether decisive in this connexion. Clement, indeed, employs the word, altar, but he allegorises concerning its import. 'The altar, then, that is here with us, the terrestrial one, is the congregation of those who devote themselves to prayer.'<sup>3</sup> Although, as we have seen, he presents all the premises for the deduction of a strict sacrifice in the Eucharist, yet he has not formally expressed the doctrine. It is too much, therefore, to expect that he would sharply distinguish the externated sacrifice of Christ's body and blood from the figurative sacrifice of internal prayer, the importance of which he is never tired of emphasizing. This distinction, however, is plainly implied even in our period by St. Cyprian. It was expressly made at a later period by St. Cyril of Jerusalem, who distinguishes in the Mass the offering of the sacrificial victim and the prayers, and teaches that the latter take place after the former.<sup>4</sup> When St. Clement of Alexandria does not distinguish the sacrifice of prayer from the true Eucharistic sacrifice, it is not surprising that there should be the same indefiniteness about the meaning which he attached to the word 'altar.'

<sup>1</sup> *Adv. Hæc.*, iv., 18, 3.

<sup>2</sup> *Idem*, iv., 18, 6.

<sup>3</sup> *Stromata*, vii., 6.

<sup>4</sup> *Cat. Myst.*, v., n. 8.

Origen is more definite in the use of the word. According to a passage already cited, he speaks of 'altars sprinkled no longer with the blood of herds but consecrated with the blood of Christ.'<sup>1</sup> It is hard to be certain when Origen is not allegorizing in his writings. But that he understood real altars to exist in the Church, seems to be implied in another passage in the same treatise from which the previous testimony has been drawn. There he speaks of altars and their *adornment*,<sup>2</sup> and it would be hard to understand that of mere symbols.

The words of another Oriental writer, St. Dionysius, Bishop of Alexandria, would tend to show that at this time it was a recognized usage to designate the means of supporting the Eucharistic symbols as simply a table. He wrote a letter to Pope Sixtus asking if a certain person who had received Baptism from a heretic should be re-baptized. In a full statement of the case, he mentions his attendance at the Eucharistic celebration, and his presenting himself at the table.<sup>3</sup>

In the Latin Church Tertullian speaks of the altar: 'Will not your fast be more solemn if you stand at the altar of God?'<sup>4</sup> Since, however, Tertullian is addicted to the figurative sense, his testimony is not unequivocal. Thus, he says that a man ought to offer his 'gift at the altar, namely, prayer and thanksgiving.'<sup>5</sup> That in the West, soon after Tertullian's time, material altars were sometimes understood only of those associated with the pagan sacrifices, seems to be implied in the following strange passage of Minutius Felix (flourished A.D. 229): 'We (Christians) do not possess altars. The victim that placates is a good soul, a pure mind, and sincere speech.'<sup>6</sup> At a later time, however, St. Cyprian's writings undoubtedly show that the word, 'altar,' had become the technical term to describe the table at which the Eucharist was celebrated. He teaches that 'another altar cannot be reared, another priesthood cannot be constituted besides the one

<sup>1</sup> *In Librum Jesu Nave*, ii., 1.

<sup>2</sup> *Ibid.* hom. x.

<sup>3</sup> Eusebius, *H. E.*, vii., 7.

<sup>4</sup> *De Oratione*, chap. xxv. (Catholic).

<sup>5</sup> *Adv. Marcion*, i., chap. 9 (Montanist).

<sup>6</sup> *Dialogue*.

altar and the one priesthood.<sup>1</sup> He speaks of the horror of an approach to God's altar after ministering at the altar of devils.<sup>2</sup> He says that the altar is situated in the Church.<sup>3</sup> He says that the sacerdotal order is entirely devoted to serving at the altar and at the sacrifice.<sup>4</sup> He speaks of one who is an enemy of the altar and rebel to the sacrifice of Christ.<sup>5</sup> More passages might be cited, but these suffice to show the undoubted usage in St. Cyprian's time of associating a sacrificial idea with the table which supported the Eucharistic symbols. Lest the opponents of the Mass might vainly imagine that this idea was originated by St. Cyprian himself, they might recall how chary the martyred Bishop of Carthage proved himself about any novelty in regard to the Eucharistic sacrifice; they might recall with what a reverent hand he takes up the Divine tradition, and that alone.

But if we may not break the least of God's Commandments, how much rather is it forbidden to infringe such important ones, so pertaining to the very sacrament of our Lord's passion and our redemption, or to change it by human, tradition into anything else than what was Divinely appointed.<sup>6</sup>

#### V.—THE PARTS OF THE SACRIFICIAL FUNCTION

Even as early as the time of St. Irenæus, one may find express mention of the essential divisions of the Mass. There is reference to the Offertory. The Church is said, by St. Irenæus, to offer the first-fruits of God's creation, namely, bread and wine. Reference is made to the Communion. St. Irenæus is assured that the 'flesh which is nourished with the Lord's body and blood' cannot be destined for final corruption in the grave, but will participate in the undying life of heaven.<sup>7</sup> As the principal act in the sacrificial function is the Consecration, I shall treat more fully the testimonies bearing thereon. It may be noted that Tertullian, the father of theological termino-

<sup>1</sup> Ep. 40.

<sup>2</sup> Ep. 64.

<sup>3</sup> Ep. 42.

<sup>4</sup> Ep. 66.

<sup>5</sup> *De Unit. Eccl.*, xviii.

<sup>6</sup> Ep. 63.

<sup>7</sup> *Adv. Haer.*, iv., chap. 18



logy, has used the very word 'consecration,' though he does not appear to have discussed the precise formula by which the mysterious change was effected.<sup>1</sup> St. Irenæus, however, plainly implies that the change was wrought by a certain form of words: 'The bread over which *thanks have been given* is the body of the Lord and the cup His blood.'<sup>2</sup> In this passage he seems to imply that the Consecration was due to the formula of thanksgiving which gives its name to the Eucharist, and which includes the Divine words of Christ. Indeed, in another passage he states in like manner that it is the 'Word of God' which works the change.<sup>3</sup> But the effect is also said to be due to the invocation of God ('epiclesis').

As the bread which is produced from the earth when it receives the invocation of God is no longer common bread but the Eucharist, consisting of two realities, earthly and heavenly; so, too, our bodies when they receive the Eucharist are no longer corruptible, having the hope of resurrection.<sup>4</sup>

It will be noted that the invocation has for its effect the production of two realities, earthly and heavenly, which, to say the least, can be as well understood in the Catholic theory of the 'species' as in the Protestant view of companation. Is the change effected by a formal impetration, or by the invocation which may be said to be implied in the formula, 'This is My body'? St. Irenæus does not supply any definite answer. This is only what may be expected from early writers. Even as late as the days of the scholastics, Scotus maintained that the words preceding the sacramental form of the Eucharist were also essential for the validity of the Consecration. Similarly, the invocation of the Holy Ghost, or the epiclesis, which in some liturgies preceded, and in others followed, the repetition of Christ's solemn words, was regarded by many Greeks long after the time of St. Irenæus as absolutely necessary for the Consecration.

Although hitherto I have purposely refrained from

<sup>1</sup> 'Vinum in sanguinis sui memoriam consecravit' (*De Anima*, chap. 17).

<sup>2</sup> *Adv. Haer.*, iv., 18-4.

<sup>3</sup> *Idem*, v., chap. 2.

<sup>4</sup> *Idem*, iv., 18-5.

citing such ancient liturgies as the Coptic, the Clementine, and that of St. James, because they were interpolated, if not composed, after my period, yet I may now be justified in quoting the Clementine liturgy as throwing light on the earlier doctrine. Indeed the reference to a sacrifice and to an epiclesis, postulating the mysterious effect of consecration, is writ so boldly across their pages that to say this is but a human accretion would be paramount to saying that the very substance of the works is a tissue of corrupt traditions. The Clementine liturgy, because of the inexactness of its theology, because of its mention of the persecutions, because of its reference to a rigid penitential discipline, must have struck its main roots in a period much earlier than the beginning of the fourth century. We find in it this typical example of the prayer of epiclesis :—

We beseech Thee that . . . Thou would'st send down Thy Holy Spirit, the witness of the sufferings of the Lord Jesus, upon the sacrifice that He may make this bread the body of Thy Christ and this cup the blood of Thy Christ.<sup>1</sup>

St. Justin presents the same want of precision, as does St. Irenæus, concerning the question whether the change in the elements was wrought by a strict prayer or by a categorical formula. But it will be apparent from his testimony that some words were employed. His teaching regarding the Consecration is so interesting, and it epitomizes so well his whole doctrine concerning the Eucharist, that it may be worth while to give the passage in full :—

For we do not receive them as ordinary food or ordinary drink, but as, by the Word of God, Jesus Christ, our Lord and Saviour was made flesh and had both flesh and blood for our salvation ; so also the food which was blessed by the prayer of the word (or the word of prayer) proceeding from Him and from which our flesh and blood, by assimilation, receive nourishment, is, we are taught, both the flesh and blood of that Jesus who was made flesh. For the Apostles in the Memoirs which they composed and which are called Gospels, have declared

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<sup>1</sup> *Apost. Const.*, Book viii.

that Jesus commanded them to do as follows: He took bread and gave thanks and said: 'This do in remembrance of Me. This is My body;' and in like manner He took the cup and blessed it and said: 'This is My blood,' and gave it to them alone. The same thing in the mysteries of Mithra, also, the evil demons imitated, and commanded it to be done; for bread and a cup of water are placed in the mystic rites for one who is to be initiated as you know or may learn.<sup>1</sup>

Here St. Justin attributed the change to the 'word of prayer.' Probably, the words which recited the history of institution were by him regarded as a prayer. The passage quoted shows that the practice of the Church was to repeat the very formula of Consecration which is repeated at present in the Mass. Some mysterious effect was attributed to this recital. Else why does St. Justin, after repeating those very words of institution, remark significantly that the votaries of Mithra, also, when imitating the Christian rite, used a certain formula which was supposed to work a magic effect?

Origen, too, speaks of prayer as the efficient cause of the change in the Eucharistic elements. 'We have received those breads which by prayer become a holy body, which sanctifies those who receive it with a pure heart.'<sup>2</sup> Those early writers do not absolutely decide whether some separate prayer in the Liturgy, or the impetration which may be said to be included in the repetition of Christ's words, caused the great change in the Eucharistic elements. Even St. Cyprian is not altogether clear in this connexion. He speaks in one instance of a woman who impiously arrogated to herself the highest offices in the Church. He testifies that she consecrated bread 'with an invocation not to be despised.' In the same sentence he continues to say that she dared to offer sacrifice to God, 'not without the sacrament of accustomed utterance.'<sup>3</sup> Although it is not clear to what kind of an invocation St. Cyprian attributed the Consecration, he attributes, at any rate, a mysterious and sacred efficacy

<sup>1</sup> *Apol.*, i., 66.

<sup>2</sup> *In Levit.* hom. xiii.

<sup>3</sup> *Ep.* 65, 10.



to the accustomed recitation which is nothing else than the account of Institution, so familiar to all students of the Mass.

#### VI.—THE FRUITS OF THE MASS AND MORE PARTICULARLY PROPITIATION

That the Mass is the sublimest form of adoration, is implied in the fact that it is the pure oblation whereby God's name is great among the Gentiles. That it fulfils the duty of gratitude to a bountiful God, is seen to be crystallized in its very name, Eucharist. That it is replete with importunate prayers for soul and body, is a palpable fact which occasions no difficulty. But its fourth or propitiatory effect needs to be studied more fully in the light of a tradition which is all the more illuminating because of its close proximity to the Divine source.

Indeed, to prove the Mass to be a true sacrifice is to prove its propitiatory effect. The sacrifices of the Old Law produced this result. How much more so the sacrifice of the New Law which was ushered in by the Prince of Peace, by Him who did bequeath peace as a permanent heritage to men! Above all things, this gift ought to be a harmonious relation between man and God, propitiation. To attain perfectly this end, the Eucharistic sacrifice must also have a satisfactory effect on man's conscience, ever sadly burdened with sin.

As for St. Justin, he does not set forth those effects in any explicit statement. But they are implied in his doctrine. The Eucharistic sacrifice is a commemoration of the passion.<sup>1</sup> It is not, however, an empty representation of that memorable event, but it contains the body and blood of the Victim of the cross. This Being, present in all the altars, is virtually proclaimed by St. Justin to be Divine; He was existing before all creatures; was begotten of God 'in a peculiar manner and beyond the ordinary generation.'<sup>2</sup>

<sup>1</sup> *Dial. Tryhon.*, 41.

<sup>2</sup> *Apol.*, i., 22.

This is sufficient *data* to conclude the propitiatory effect of the Eucharist. If it produced merely the effect of prayer, then the Sacrifice of the cross which it commemorates is void, and Christ, who is present in the Sacrament, no longer intercedes for sinners.

St. Irenæus dwells for a length of time on the fact that good internal qualities are needed in the person offering sacrifice. 'God is not appeased by sacrifice,' meaning merely external offerings.<sup>1</sup> He maintains in another place that it is the conscience of the offerer which produces the good result of sacrifices. 'Sacrifices do not sanctify a man . . . but it is the conscience of the offerer that sanctifies a sacrifice when it is pure.'<sup>2</sup> Thus the importance of internal works is emphasized; they are not mere conditions with St. Irenæus for the efficacy of the objective work. The doctrine of the *ex opere operato* efficiency of the Sacraments is not yet developed.

Tertullian seems to be the first of those early writers to fully elaborate the idea of propitiation,<sup>3</sup> and to give to all sacrifices, even those in a loose sense as fasting, the character of *atoning* a wrathful God, as well as of being *meritorious* of a Heavenly reward.<sup>4</sup> 'Firstly,' he writes concerning the fruits of patience, 'there is a castigation of the flesh, a victim appeasing the Lord (*Domino placatoria*) through the sacrifice of humiliation. This opens the ears of Christ, banishes His severity, calls forth His clemency.' There can be little doubt that this effect of propitiation, which is here attributed to sacrifices in the loose sense, would also be attributed by Tertullian to the Eucharist. There is another statement of Tertullian which proves that he believed in a Purgatory, and in satisfaction for the temporal punishment due to the deceased person. 'The wife prays for his (the husband's) soul, and begs refreshment (*refrigerium*) for him, and offers on the anniversary of his death.'<sup>5</sup> Although Tertullian often speaks of offerings in the loose sense, it may be presumed that he here speaks

<sup>1</sup> *Adv. Haer.*, iv., 18.    <sup>2</sup> *Idem.*    <sup>3</sup> Cf. Harnack, *Dogmengeschichte* vol. ii., 3.    <sup>4</sup> *Promereri Deum*, and *demerendo Deum*, *De Pat.* c. 12, 16; *De Pat.* c. 18.    <sup>5</sup> *De Monog.*, c. 7.

of the anniversary offering of the Eucharistic sacrifice, a recognized custom of the early Church

We find in Origen a hint of the Catholic tradition that the sacrifice of the Mass has an absolute efficacy in appeasing the wrath of God. The Victim is by itself alone capable of satisfying for infinite malice. It is not the offering of a mere creature which is but a transitory bubble in comparison with the boundless ocean of God's offended majesty. This self-sufficing and all-powerful efficiency cannot be explained by the offering of a finite, but only of an infinite Being, a Divine Victim. As casting considerable light on this matter, one will recall the master-thought of the Epistle to the Hebrews :—

If the blood of goats and oxen and the ashes of a calf, when sprinkled, cleanse the soiled, purifying their body ; how much rather will the blood of Christ, who through the Holy Spirit offered Himself a stainless victim to God, purify our very conscience from dead works and enable us to serve the living God.<sup>1</sup>

This sentiment was echoed by Origen when he dealt with the Eucharist. 'If you look to that commemoration about which the Lord says: Do this in remembrance of Me, you will find that it is the only commemoration which makes God propitious to men.'<sup>2</sup>

Concerning the propitiatory effect of the Eucharist, also, St. Cyprian's testimony is of the fullest character.<sup>3</sup> Harnack finds it hard to understand how St. Cyprian or Catholics continuing this early line of thought can attribute to the Mass an expiating effect. He rightly allows that St. Cyprian's conclusion is plainly implied in the principle that the Mass is an exact imitation of the Passion. But for anyone who will also remember that Christ predicted the shedding of His blood for the remission of sin, and that this idea cannot be an interpolation because of its very frequent occurrence in the Gospels and in the tradition of a Divinely-gifted community, there is no insoluble mystery in the propitiatory efficiency of the Eucharist. According

<sup>1</sup> Chap. ix.

<sup>2</sup> *In Lev.*, hom. xiii., n. 3.

<sup>3</sup> Cf. *Epp.* 12, 16, 30, 64, 65, 66, 67.



to St. Cyprian, not only did the Eucharistic offering appease God by rendering Him more propitious, it also satisfied for the sins of men. Cyprian, indeed, does not distinguish this efficiency after the manner of the scholastics in later days, nor does he expressly define whether it satisfied immediately for sin. At all events he plainly implies that the sacrifice was offered to pay for the debt of temporal punishment due to the sinner. Thus it was offered on the anniversary of a martyr's death for the benefit of other deceased Christians.<sup>1</sup> This custom of praying for the dead during the Eucharistic function is made clear from the use of the diptychs in the early Church. These were folding charts which contained the names of the deceased. They are mentioned in the oldest liturgies and cannot but have an early origin. Mindful of her children in life, the Church showed an equal solicitude for them in death. It is not surprising, then, that St. Chrysostom should voice a tradition that this commemoration of the dead was commanded by the Apostles themselves. 'It was not in vain that the Apostles ordained that at the tremendous mysteries the departed should be remembered.'<sup>2</sup>

G. PIERSE.

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<sup>1</sup> *Idem.*

<sup>2</sup> *In Philipp.*, hom. 3, n. 4.

## EVOLUTION OF MORALITY

WHEN primitive families were formed, the next step to be taken by evolution was to gather them into society. The task was not an easy one. For, how could the early savage be induced to give up the wild, free life of the primitive state and subject himself to community rule for his own and the community's sake. Many different views have been put forward. We shall only refer to one or two.

In the *Leviathan* Hobbes propounded the well-known theory that society was formed as a remedy against the ceaseless wars of primitive individualism. He contended, not without reason, that the mainspring of all human action is self-interest. Regarding human nature as essentially corrupt, and animal ferocity as its outstanding characteristic, Hobbes was of opinion that if life were to be at all possible men must subject themselves to the iron rule of power, by which their ferocity might be held in check.

It occurs to one, however, that since those exercising the power were also possessed of human nature, their corrupt, ferocious tendencies would not be likely to ensure any permanent success for the societies which they governed. Moreover, if human nature is essentially corrupt, and its main feature animal ferocity, can we suppose that man, while he had his freedom, would resign it and submit himself to governmental control?

Rousseau had visions of early man entering society, as it were, to try the experiment, but on this condition, that he would get fully compensated in civil rights for the natural rights he had surrendered. As the experiment was not successful, according to Rousseau, having freely entered society men are free to break it up and return to the state of nature.

The remarkable thing about the *Social Contract* is the prominence given to human liberty by a writer who is a pronounced materialist. Like all the other theories in

this connexion, Rousseau's doctrine begins with begging the question.

In the *Data of Ethics*, Spencer finds the *rationale* of the transition from individual to community life in the 'experience of increased satisfaction derived under it.' Man gives up the state of wild isolated existence, and gathers himself into societies from *experience* of increased satisfaction!

Mr. Spencer is considered a master of English prose; but no matter what be the literary merit of his writings, the looseness of expression, the want of precision in terminology, lessens, to a serious extent, their philosophical value. How was the experience of increased satisfaction acquired unless men previously lived in society? And if they lived a common life, thereby gaining increased satisfaction, how could the experience of this new pleasure have been the cause of their coming together. There is a fallacy incident to Logical Method, known as *petitio principii*, which it would be well for philosophers to be on their guard against. In a passage in his *Sociology*, Mr. Spencer sums up his whole theory, and the summing up is about as intelligible as the theory:—

Like evolving aggregates in general [he says], societies show *integration*, both by simple increase of mass and by coalescence and re-coalescence of masses. The change from homogeneity to heterogeneity is multitudinously exemplified; up from the simple tribe alike in all its parts to the civilized nation full of structural and functional unlikenesses beyond enumeration. With progressing integration and heterogeneity goes increasing coherence.<sup>1</sup>

Mr. Spencer is perpetually conjuring with integration, homogeneity, heterogeneity, coherence. They serve a purpose; but not the purpose of instruction. The author's mania for constructing a 'social organism' on a biological basis, engrafting sociology on biology, blinded him to the facts of the case, and kept him theorizing in an imaginary world, while his theories were being contradicted all along the line by the reality. The resemblance of organic growth

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<sup>1</sup> *Sociology*, Vol. i., p. 617.



to the growth of society discovered, as he thought, and elaborately worked out by Mr. Spencer, opened up a field of inquiry which scientists thought was full of promise, but which was afterwards found to be altogether disappointing. Dr. Crozier very justly remarks: 'If the differences among men are poor and insignificant compared with their common likeness, to regard Humanity as an organism in the strict sense of that term, and on that basis to construct a scheme of re-organisation is equally absurd and chimerical.'<sup>1</sup> And Mr. Kidd gives the verdict of science on Spencer's theory when he says that the generalizations and abstractions of the author are forced and unsatisfactory.<sup>2</sup>

Finally, if we suppose, with the majority of evolutionists, that men formed themselves into societies not from motives of expediency or feelings of increased satisfaction, but from the sternest necessities of the conditions of life, there is still a Gordian knot which will tax the utmost ingenuity of evolution to unloose. For, ages before man's appearance, were not his *ancestors* living community life? Were not birds in flocks, ants in colonies, bees in hives, wolves in packs, deer in herds, *monkeys in troops*, we know not how long before man made his appearance with no social tendencies whatever?

Anyhow, taking it on the authority of evolution that human societies were somehow or other formed, let us see what evolution has to say on the subsequent progress of morality.

#### PRIMITIVE ETHICS

Mr. Hobhouse's large and undoubtedly learned work, *Morals in Evolution*, is the latest notable contribution to the literature of ethical evolution. The author begins with men already in society, for he recognizes that the lower animals had already established mutual benefit societies; and he even inclines to the view that not only

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<sup>1</sup> *Civilization and Progress*, p. 148, 3rd edition.

<sup>2</sup> *Social Evolution*, p. 97.

the gregarious instinct but social intercourse and even conscious intelligence is to be found among the higher of them.<sup>1</sup> He is of opinion that no society can maintain itself unless it is bound to certain lines of conduct. This is ensured by custom enforced by a kind of public opinion. But what, one might ask, of the societies of animals, especially the higher, so frequently alluded to by the author? What kind of public opinion holds them together? Of course, evolutionists insist that there is public opinion and political economy, directed by intelligence, among the animals below man. We shall have something to say on this point afterwards. Confining our attention at present to human beings, is it not evident that morality is a mere chimera if it has no safeguard other than public opinion?

The origin of the moral judgment and of this public opinion Mr. Hobhouse discovers in casual intercourse. 'The subject of discourse stirs some impulse within us, touches some spring of our own nature, moves some hidden sympathy or antipathy that dissipates the patter of the street, and speaks out for itself. Whenever this happens we ourselves originate a moral judgment.'<sup>2</sup> When the judgment goes forth it is taken up by our neighbour, and passed on to others. Consideration and discussion follows, and from the clash of judgments we have the resultant opinion of society, the growth, in short, of a tradition. 'Individual impulse and social tradition are the two poles between which we move.'<sup>3</sup> Accordingly, Mr. Hobhouse will reject any theory of morality in which the moral code is reduced to self-interest on the one hand, or to a rational intuition of right and wrong on the other. Instinct, he says, is the origin of ethics, though it is not an unfailing power to distinguish between what is right and what is wrong. 'It is a name for human character as it grows up under the conditions of heredity. . . . Human morality is as blind and imperfect as man himself.'<sup>4</sup> Hence he reaches the conclusion that 'There is an evolution of evil as well as of good, a veritable fall of man, not accomplished at a

<sup>1</sup> Vide Vol. ii., p. 26.

<sup>2</sup> Vol. i., p. 14.

<sup>3</sup> *Ibid.*, p. 15.

<sup>4</sup> *Ibid.*

stroke by the eating of an apple but working itself out progressively by the development of forces which bring out what is worst in human nature among the germs of what is best.<sup>1</sup> But all the while public opinion is growing and spreading, formulating more and more rules of conduct, till in course of time the headmen or elders of the village are appealed to in matters of dispute to apply custom or public opinion to particular cases. The regular king with an army at his back next appears on the scene. Subsequently nations are formed, recognizing international rights, and the transformation is complete.

On account of the confusion in which, as it seems to me, the first chapter of *Morals in Evolution* is written, I am not sure that in the foregoing I have represented the real meaning of the author. If public opinion arises from instinct, which in itself is the product of heredity, what higher morality can we attain to than that attributed to the lower animals? No doubt we have consideration and discussion from which, after selection and rejection, public opinion is formed. But these considerations and discussions,—cerebral reactions they are called in materialistic parlance,—are themselves but the results of instinct, and have no greater guarantee for their correctness than the impulse stimulated by the subject of discussion which gives rise to them. Besides, custom, public opinion, or whatever other name it may go by, is not morality, but only the test of morality, the standard by which to judge conduct. And a very bad standard at that. For, if what public opinion approves be right, and what it condemns be wrong, we shall have as many moral orders as there are customs in the world. Nay, in the same state or tribe what is a vice this year, may next year be a virtue. And will any man seriously contend that the atrocious practices of scalping and cannibalism are ethically right because public opinion in certain places approves of them? You must either abolish morality altogether, or hold that what is ethically right or wrong must remain ethically right or

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<sup>1</sup> *Ibid.*, p. 36.



wrong always and everywhere. As two and two make four, independently of space and time, so the moral order has ever been and shall for ever continue to be the same on this miniature planet of ours, as on Sirius, or in the regions of space beyond the Milky Way.

As the development was by no means uniform, not progressing continuously in a straight line nor affecting all branches of the moral order simultaneously, Mr. Hobhouse tells us that in following out the evolution he deserts the order of time, and seeks to classify on a certain basis. But surely the time basis is the only one in an evolutionary system. If it is abandoned there is an end to the evolution. Further: 'Whether the actual advance of society tends to move along the stages which we make to succeed one another in our scheme is a separate question.' Yet this, to my mind, is the real and only question. Then the author asks, 'Are we to allow the terms higher and lower into our classification? . . . They are implied when we speak of grades and levels. But it is clear that in applying them without analysis we run the risk of arguing in a circle.' However, he takes the risk, promising to justify the use of the terms 'in the course of a final inquiry into the broad trend of ethical evolution.'<sup>1</sup> At the end of the work there is to be a final inquiry into the very question on which the two large volumes have been written! We read through the two volumes, and for the final inquiry we find a recapitulation of what has gone before.

In the first chapter of Volume ii. the author institutes an investigation into the basis of morality of which he now regards custom and public opinion as only the standard. He finds that in its ultimate analysis morality is inseparably bound up with Animism. He summarises the growth of Morality in this way:—

In the lowest stage of ethical thought men washed away their sins with magic purges and swore them off with incantation formulas. In the next stage they bargained with the gods and offered a bull or a ram or in extremity their own children to make

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<sup>1</sup> Vol. i., pp. 39, 40.

up for their iniquity. The ethical stage proper begins when these childish things are put aside and men conceive God as caring neither for gifts nor for ceremonial adulations, but for repentance and change of heart.—‘God’s will is the source of the moral obligation, His word the revelation of the practical rule of life.’<sup>1</sup>

We have already seen that the first moral judgment arose from discussion exciting some impulse, stirring some sympathy or antipathy within us. Now we are informed that morality took shape under pressure of fear of spirits, ghosts, gods. There is a difficulty in making the theory consistent. It may, however, be possible. But whether possible or impossible need not concern us now, for I have already shown,<sup>2</sup> I think, that the theory of Animism is not only inconsistent, but contradicted by all the facts of human life, savage and civilized, with which we are acquainted.

Having thus outlined, as briefly as possible, the general trend of ethical evolution in the beginning, we pass on to the most important stage, where, viz., fear of the gods, or the wish to please a Supreme Being is lost sight of, and a new ideal dawns on humanity. This is brought about ‘through reflection upon life and man’s place in it, upon human nature and its potentialities, upon human action and its ends.’<sup>3</sup> Following this course, though<sup>4</sup> seeks to discover where man’s true purpose lies. Supernatural sanctions and divine commands are no longer the dominating factor; their place is taken by that ideal of conduct which is perceived to be best for man himself, and best for humanity. Self-interest, the fear or love of God has ceased to be the motive of human action; the first principle now is, that virtue is its own reward. We are getting near home. This ethical idealism, Mr. Hobhouse informs us, was taught in the schools of thought which arose in Greece and China between the sixth and the fourth centuries before Christ.

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<sup>1</sup> Vol. ii., pp. 123, 138.

<sup>2</sup> I. E. RECORD, August and September, 1907.

<sup>3</sup> *Morals in Evolution*, Vol. ii., p. 161.

Now it might be very seriously questioned whether the schools which rose in China and Greece, at the time referred to, did really leave God out of the count. I believe they did not. But granted that they did, the pertinent question is did the world really grow better after the rise of these schools? When men presumably got rid of the childish notion of God, the rewarder of good and punisher of evil, did the growth of morality go on apace, so that no other motive was required to bridle human passions than the bare recognition of man's relations to his fellowman? Or was the new teaching put in practice by the teachers alone, if even by them? I know that China had a Confucius and a Mencius, Greece a Socrates and a Plato, Rome a Cato and a Cicero, but what of the remaining tens of millions comprising the masses of the people? Though here and there in the world's history a prophet may arise in whom the humanitarian sentiment is exceptionally developed, what is he but a voice crying out in the wilderness? What influence, religion apart, has any individual ever had on the conduct of the people when he did not pander to their passions? I have no doubt that an individual may appear occasionally to preach, in all sincerity, mercy and perhaps love, but it is not the individual, the exception, that concerns us, it is the masses.

Then we talk of men influencing the thought of their time; but the thought of the age is of very little importance in dealing with the question of ethical evolution, because here we seek to know what influences the conduct of the community for *praxis* not *gnosis* is the subject matter of ethics. And I know no school that preached Humanitarianism or virtue its own reward, nor any individualism that did not appeal to the passions of the people that ever had any influence on them. Even the teachers themselves will be found, I believe, not to differ so very much from the rest of us. It is all very well to give lectures and write books on Altruism, Humanitarianism, the good of the race and all that, but when the pinch comes, when the wolf is at the door; when that hoarded wealth of yours, which you tell the rest of mankind should be distributed to feed



the poor is in danger ! Then you hurry down from your lofty eminence, and prove yourself a man.

I wonder how many of those who preach Humanitarian gospel have given their all-important doctrines to the world free of charge. They vehemently insist on everybody else doing everything for the good of all, and rake in large profits on their works. They put their profits out at heavy interest for their own ease and comfort, and grudge a penny to the starving beggar at the door. When all is said and done we are compelled to fall back on David Harum's philosophy that 'there is as much human nature in some folks as there is in others, if not more.'

#### CLASSIC CULTURE

It is an almost incredible fact that appeal is generally made to the classic culture by those who think, or think they think, that morality advanced steadily forward from a primitive savage state. One would almost imagine that Socrates lifted the human race on to a new ethical plane from which it was never to descend, but from which it was to rise higher and higher, till self-interest should cease, and the interests of the race should be the sole consideration in human action. But Socrates did nothing of the kind, and his influence on the conduct of the people might be compared to the effect of a cork in retarding the current. Socrates himself bases his moral teaching on motives of personal utility ; and his otherwise beautiful system of ethics, we must remember, developed, in the next generation, into the Hedonism of his pupil, Aristippus. With all the teaching of Socrates, Plato, Aristotle, and the rest, Aphrodite continued to be Greece's favourite goddess, and immorality held its ground accordingly. Absolute disregard for Morality was practically universal in Greece, except where fear of the law ensured its observance.

On the decay of the Athenian people, F. Galton writes : 'We know, and may guess something more, of the reason why this marvellously gifted race declined. Social morality grew exceedingly lax ; marriage become unfashionable and

avoided; many of the more ambitious and accomplished women were avowed courtesans, and consequently infertile, and the mothers of the incoming population were of a heterogeneous class.<sup>1</sup> With the great majority of the lowest savage tribes social morality is on a much higher level than this. But then evolutionists remind us that advance was not continuous, in a straight line; nor was the progress the same all the world over; there were rises and falls, but on the whole the development went steadily forward from the rude primitive customs of the early savage through classic culture up to our own ultra-humanitarian age. Let us see.

Rome became mistress of the world; and what is true of the capital is true also of the provinces. Anybody who knows anything of the state of Roman society about the time of Christ, and after, is aware that moral degradation had gone down to its lowest depths. And it remained there till the Christian religion, by the power of the Word and the grace of the merits of Christ, rescued mankind from the cess-pool of iniquity. The same moral depravity characterised both the public and the private life of the citizens of Rome. 'The number of days which were annually given up to games and spectacles at Rome rose from 66 in the reign of Augustus to 135 in the reign of Marcus Aurelius, and to 175, or more, in the fourth century.'<sup>2</sup> And what was the chief feature of the spectacles after which Roman society ran mad? Was there anything inspiring or ennobling in them, anything refined or elevating? Roman society would shrug its shoulders and turn up its nose at any forms of public pastime except those in which man was slaughtered by his fellow-man.

'And wherefore slaughtered,' the poet asks, and immediately answers,

Wherefore, but because  
Such were the bloody Circus' genial laws,  
And the Imperial pleasure.

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<sup>1</sup> *Hereditary Genius*, p. 331.

<sup>2</sup> S. Dill, *Roman Society from Nero to Marcus Aurelius*, p. 134.

The Dacian triumphs of Trajan lasted 123 days, during which 10,000 gladiators butchered each other in the arena of the vast amphitheatre, while 80,000 Roman citizens, including the Emperor, senators, priests and vestal virgins, thundered their approval of the inhuman butchery.

And what shall we say of the theatres? Perhaps it is better to drop the curtain. It is enough to know that scenes were enacted on the public stage in presence of the *élite* of Rome's womanhood and Rome's girlhood that shocked even Ovid. The provincial towns imitated the capital.

In private life *balnea, vina, Venus*, were the high ideals of the descendants of Numa and Scipio and Cato. After citing the well-known passage from Seneca, 'In any crowded scene in the forum or the circus, you have a mere gathering of savage beasts, a spectacle of vice incarnate. In the garb of peace they are engaged in a truceless war, hating the fortunate, trampling on the fallen.' Dr. Dill continues: 'Viewing the scene of shameless lust and cupidity, where every tie of duty or friendship is violated, if the wise man were to measure his indignation by the atrocity of the offenders, his anger must end in madness.' Here, however, the author inserts a caution with which I am in complete sympathy, notwithstanding all the good things Evolution and Altruism are prepared to say about me: 'But we are all bad men, living among bad men, and we should be gentle to one another.' Further on, the same writer says: 'The ghastly moral wreck of ordinary human nature, in which not a single germ of virtuous impulse seemed to have survived the ruin, left apparently no hope of rescue or escape.'<sup>1</sup>

Yet this is Rome  
That sat on her seven hills, and from her throne  
Of beauty ruled the world.

It is quite unnecessary to multiply illustrations and quotations; they are too well known. Nor need we go

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<sup>1</sup> *Ibid.*, pp. 313, 314.



beyond the first chapter of St. Paul's Epistle to the Romans to learn the frightful degradation into which society had sunk about the time of Christ.

And this is advance from the primitive morality of the Australian Bush or the Southern Pacific Islands! Why, there are races, any number of them, regarded by evolutionary writers as scarcely if at all human, whose moral code would put to shame the boasted civilization of classic Greece and Rome. Can any thinking man, in his calm moments, seriously regard the state of Greek and Roman morality as the result of advancing evolution from any state whatever? There can be no doubt about it, the whole known world at the time of which we speak was buried in iniquity. And all evolution can claim is that after untold aeons the *most advanced* of mankind were at the lowest depths of moral depravity. The situation is an awkward one for the evolutionist. 'Obligation,' says Mr. Hobhouse, 'resting at first on occult or the resentment of vindictive spirits, and then on the wrath of a not unjust God, comes to be based on the nobler desire to be one with God or to realize a higher spiritual life, and finally intrinsic consequences being dispensed with, on the inherent goodness of life which it renders possible.'<sup>1</sup> This last phase of the development began, according to the author, between the sixth and the fourth centuries before Christ. And the inherent goodness of life, under the guidance of evolution, conducted society down to that inferno of licentiousness which has stigmatized for all time the last centuries of the pagan Roman world. 'A hideous, sordid, and emaciated maniac, without knowledge, without patriotism, without natural affection, passing his life in a long routine of useless and atrocious self-torture and quailing before the ghastly phantoms of his delirious brain had become the ideal of nations which had known the writings of Plato and Cicero, and the lives of Socrates and Plato.'<sup>2</sup> And Mr. Hobhouse tells us that long before this state of society had been brought about men had outgrown the

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<sup>1</sup> *Morals in Evolution*, Vol. ii., p. 274.

<sup>2</sup> Lecky, *History of European Morals*, Vol. ii., p. 114.

childish notions of a God, and of obligations to Him. I do not doubt it. And so God and religion aside, we will just ask the learned author to apply his evolutionary lever to Roman society, and lift it out of the sea of iniquity in which we leave it immersed.

#### MODERN SOCIETY

Coming now to present-day society, let us see how we stand in relation to the past and to the future. Comparisons, they say, are odious; yet I fear we must face the truth that we are not superior to the savage. The avarice and luxury which have made the modern world a hell are unknown to primitive peoples. Content with nature's gifts, and practising his religion according to his lights, savage man cannot be considered the inferior of the modern man of the twentieth century. In an article on 'Evolution and Character,' in the *Fortnightly Review* (January), Mr. Alfred R. Wallace states that, 'we find in the higher Pacific types men who, though savages as regards material progress, are yet generally admitted to be—physically, intellectually, and morally—our equals, if not our superiors. These we are rapidly exterminating through the effect of *our* boasted civilization.' And of the Australian natives, E. Stephens declares: 'I say fearlessly that nearly all their evils they owed to the white man's immorality and the white man's drink.'

The mistake made by evolutionary ethnologists is to adopt a material standard by which to judge the progress of culture. I have already, in the first of these essays<sup>1</sup> emphasized the fact that ethics and religion, as pertaining to the higher side of human nature by which man is specifically differentiated from the lower animals, should be the best test of a people's culture and progress. Mr. Wallace strongly insists on the same distinction, and finds no necessary connexion between material civilization and morality: 'there is no inconsistency, no necessary contradiction, in the supposition that the men of the early

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<sup>1</sup> I. E. RECORD, February, 1907.

stone age were our equals, intellectually and morally.' Indeed, were it not for the influence of religion in the world, material advance would necessarily entail ethical relapse. We have seen what material prosperity meant to Roman society, and history has gone on repeating itself down even to this twentieth century—but now with the specific characteristic of refined hypocrisy which is demoralising the nations and the individuals.

The present age is shouting itself hoarse about universal Brotherhood, Humanitarianism, Hague Conferences, the cessation of war and the substitution of arbitration ; while the nations are daily increasing their huge armaments for the purpose of plundering each other, and the whole civilized world is being armed to the teeth. With what regret we regard the continuous state of warfare which kept Europe in turmoil from the fall of the Roman Empire to the peace of Westphalia, and the frequent broils that have broken out over the world since, and how we thank a kind Providence—or should we say Evolution?—that ours is an age in which peace conferences and royal visitations have ensured peace and good-will among the nations ! Yet, all the while, we hold the conviction that the safest way to avoid war is to be always prepared for it. We pity the honest sincerity of our forefathers who openly defied each other when there was cause for quarrel or who answered Shakespeare's ideal of greatness, ' by greatly finding quarrel in a straw when honour's at the stake ; ' we, in this advanced progressive age of ours, approach those whom we hate or fear with the smile of deceit on our faces, one hand extended in friendship, and the other clutching the dagger. We may have advanced to a great extent beyond the generations that have preceded us ; still I cannot help thinking that the faults of those who have gone before might be regarded rather as the excess of virtue compared with the mean vices and secret double-dealing of the modern world. And yet I doubt if we have advanced at all, unless it be to a refined form of barbarism. A Japanese diplomatist recently said :—

For two thousand years we kept peace with the rest of the



world, and were known to it but by the marvels of our delicate, ethereal art, and the finely wrought productions of our ingenious handicrafts, and we were accounted barbarians! But from the day on which we made war on other nations and killed many thousands of our adversaries, you at once admit our claim to rank among civilized nations.<sup>1</sup>

It is a fact that from the modern view-point the nation that can succeed in taking the greatest number of human lives has first place in present-day civilization. It is not poetry, painting, or philosophy that the present age admires. Let the poet interpret nature never so beautifully, let the painter realize on canvas his soul's highest ideals, let the philosopher sound the depths of existence never so profoundly; what, after all, are they—the poets, painters, sculptors, philosophers,—compared with the man who can improve on murderous machines, and produce the most efficient engines for horrible, wholesale slaughter? We may indeed have outlived the time when the childish notion of God and immortality had an influence in directing human action, but I doubt very much if we have improved on it. Nay, in reality, I believe we have gone back ages, and that we shall never advance to that ideal state, the dream of the evolutionist, when 'all men's good' shall

Be each man's rule, and universal peace  
Lie like a shaft of light across the land,  
And like a lane of beams athwart the sea  
Thro' all the circle of the golden year.

With the individual as well as with the nation the race for wealth and power becomes acute even to painfulness. Man is never content with his present position. The *Qui fit ut, Macacnas*, etc., is as pertinent a question in modern society as it was in the days of Horace. Man's all-absorbing passion is always to go forward. When he obtains a competency he doubles his efforts to attain to luxury. Nor is he more satisfied with luxury than he was when he could scarcely secure the bare necessities of

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<sup>1</sup> *Nineteenth Century*, January.

existence. Edmund Spenser's personification of Avarice is to be met with in the flesh and in all walks of life not as the exception but as the general rule :—

Most wretched wight whom nothing could suffice ;  
Whose greedy lust did lacke in greatest store,  
Whose need had end, but no end covetise,  
Whose welth was want, whose plenty made him pore,  
Who had enough, yet wished ever more.<sup>1</sup>

And modern rapacity is not more anxious to amass wealth than to deprive others of theirs, for the great ambition among the moneyed classes is to be on top. Wealth is accumulated not merely for its utility, or for the comfort or even luxury it brings with it, but for the position it gives its possessor above his fellows. The life of those of means in the present age is a continual ' dash for position ' in the race for wealth.

Reviewing with hypocritical commiseration the lives of those who were not haunted with a perpetual nightmare lest they might not die in opulence, we, whose minds are unhinged by the fever of the Stock Exchange and the race-course, look down with a supercilious smile on the spend-thrift ways of our generous ancestors. And the grasping and grinding of those in power goes steadily forward, the rich becoming richer and the poor becoming poorer. With all its faults there is a great amount of truth in Henry George's *Progress and Poverty*. Yet all the time we are clamouring about Altruism, Humanitarianism, and the good of the race, and what not. And we proudly boast of all the charitable institutions the munificence of our time has erected. The Spirit of the Age throws her mantle of evolution over her shoulders and walks forth to console the poor and needy. She claps on the back the downcast labourer who cannot get work and cannot want, and tells him to be of good cheer, to look up and around and see the number of workhouses and similar institutions *our* philanthropy has set up for his use and benefit. And the honest labourer darts a fierce glance into the Spirit's face,

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<sup>1</sup> *The Faery Queene*, Bk. i., cant. iv., 29.

and hisses back through clenched teeth: 'Curse your charity; we want justice, fewer workhouses, and fewer lunatic asylums.' The Spirit of the Age smiles and passes on to administer the same kind consolation to the starving wife and children.

I do not at all mean that the spirit of charity is dead amongst us. But I wonder, all things considered, how much more charity there is in the world to-day than there was even in what are called the Dark Ages. And it would be a nice calculation to find out how much of our charitable sentiment is due to religion, and how much to evolution. Can evolution really claim anything? When you come back from your Elysian fields and walk again in this work-a-day world of ours, does not your evolutionary altruism seem ridiculous? Every day I see thousands of human machines pouring out from the mills and factories, choking with stench and dust, gasping at the first breath of comparatively pure air, and I ask myself what do these people care for Humanitarianism. And it is of people of this kind the world's population is made up. Talk to them of the good of the race, or the good of unborn generations, and they will laugh at you. It is their dinner they want, and if they cannot buy it they will steal it if they get the chance, as far as evolution is concerned. And they are nothing worse than the rest of us. We are all bad men. We would all steal, and murder, if we had nothing to prevent us but the law of evolution. Even those of us who have not yet outgrown the childish notions of a God and Religion and a Future Life find it extremely difficult to rein the animal nature in us, and hold the passions under control. I have, perhaps, no right to speak for others, nor am I going to make a public confession of all my own faults and failings, but I may say this much at least, that with all my unswerving belief in a future life of happiness or misery, I find it extremely difficult, by times, to square my conduct with my last end. Yet, I do not regard myself as the only person in this world with a predominant passion and a great number of minor ones, too. And with regard to works of supererogation, as we



call them, when I do succeed in summoning up courage enough to make a small sacrifice for a neighbour, I find it no easy matter to keep the right hand from knowing what the left does.

I am convinced that whatever altruism is in the world, which is not prompted by religious motives, will be found in its ultimate analysis to be referable to self-interest. For we are all pretty much alike. We are all bad men. We have all—even including the Humanitarian, at least when he is not writing a book—practically the same story to tell. And I am convinced, moreover, that this condition of things will continue as long as we are attached to this body, 'the warhorse which carries us through the battle of life.'<sup>1</sup>

I cannot, therefore, bring myself to believe that we shall ever arrive at that state of perfection which Mr. Spencer contemplates, when the notion of duty and obligation will have ceased, and the pure love of mankind and of doing what is right will be sufficient motive for the regulation of human conduct. In such a state the learned author of *The Principles of Moral Science* says :—

Labour and self-sacrifice will become a pleasure and the passions will be reversed ; with the result that the highest satisfaction will be found in helping and gratifying others, and the only restraint on this universal altruism will be the fear that others may be deprived of the pleasure of self-sacrifice. Masters and mistresses will be restrained from sweeping chimneys and cleaning out sewers, from cooking the dinner and washing the plates, as cabinet ministers and artists will be kept from turning colliers and smelters, only from sympathy with the sweep and the cook, the collier and the smelter, of the future, whose whole hearts will be set on sweating and soiling themselves in the service of others.<sup>2</sup>

In refutation of the position we must cite another passage from the same context : the author's statement

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<sup>1</sup> Wyld, *Physics and Philosophy of the Senses*, p. 273.

<sup>2</sup> W. McDonald, D.D., *The Principles of Moral Science*, p. 133.

of the case is well worth having in his own forcible language :—

If I were asked [he says] to state briefly why I cannot look forward to the time when the sense of obligation will no longer be necessary as a sanction for morality, I should say it is because I cannot believe either that strongly-pressing temptations will ever cease, or that the mere sense of right and wrong is sufficient to enable one to overcome strong temptations. It is not necessary for my purpose to deny that individuals here and there may be so easily restrained : to tell the truth, I do not believe they are. It is easy to do right for the mere love of virtue in circumstances wherein one is not greatly tempted ; but I have not yet met the man, nor do I hope to meet him, who has not his own difficulties, peculiar to his own temperament and surroundings, and who is not strongly and frequently tempted, if not to this sin, at least to that.<sup>1</sup>

The time has not yet arrived, nor can we hope that it will ever come when religion can be dispensed with as the guide and safeguard of human action. Neither will any pseudo-religion of Humanity ever be a sufficient substitute for supernatural religion. Comte thought that with the spread of his gospel of Humanity everyone would be content to do his part in the place assigned him. He was of opinion that he could arrange all the different orders of mankind in their proper places, and that by patting the members on the head, telling them to stay there and be good, they would do so. But even with the phylacteries of the Humanity gospel before their eyes the children would be naughty, and would not do what they were told. They have since gone on, and shall ever go on, repeating the experiences of the past, and confirming the universal testimony of the race that Evolution, Humanity, Altruism, Utilitarianism, or whatever else we may call it, can never furnish sufficient motive for right moral conduct. If the Christian religion with its tangible rewards, and its beautiful doctrines that appeal to heart and soul, calling forth all that is highest and best in human nature, has failed,

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<sup>1</sup> *Ibid.*, p. 136.

after twenty centuries of propagandism, to subdue the spirit of the world, where is the hope for the religion of Auguste Comte with its thin transcendentalism? Power, wealth, fame, the human passions, both higher and lower, are the chief factors with which we shall always have to deal. They cannot be left out of the reckoning; and any system in which they are disposed of with a stroke of the pen will be as easy of realization as Plato's *Republic* or More's *Utopia*.

R. FULLERTON.



## ANECDOTA FROM MURPHY MSS., MAYNOOTH

Δ ἴρ na h-easna o'iarraio.<sup>1</sup>

ciarán naom, cct.<sup>2</sup>

Δ ἴρ na h-easna o'iarraio,<sup>3</sup> beic mīa (ir) obair eisciallaig,<sup>4</sup>  
 gan ghrá ir easla an ádair, máo áil t'easna o'ullmádo.

Domáoin do duine air<sup>5</sup> domán, beic ag iarraio<sup>6</sup> ealaóan,<sup>7</sup>  
 ná mear<sup>8</sup> go bfuige ré rin, gan gairde Dé<sup>9</sup> do déanamh.

Céar goac ruad<sup>10</sup> ir<sup>11</sup> é do gni, Mac Dé ádair<sup>12</sup> an áirto-  
 mīg,<sup>13</sup>

Fá luac ná céirde ir<sup>14</sup> é ar fearr, ní fearrde an té nac  
 tuigeann.

Dá brádo duine air<sup>15</sup> óán,<sup>16</sup> an méio iarrair<sup>17</sup> go h-iomlán  
 ní beao air<sup>18</sup> bail dá bunad,<sup>19</sup> gan toil Dé do<sup>20</sup> deonugad.

O'ér a déanta 'ra óioia, me Dia air noéanamh eiríodá,<sup>21</sup>  
 buir brruasra do beir gan bail, Δ ἴρ na h-easna  
 o'iarraio.<sup>22</sup>

O man in quest of wisdom, to be (so) with it is senseless work  
 Without the love and fear of the Father, if thou wouldst fain  
 thy wisdom prepare.

It is idle for a person in the world, to be asking for science,  
 Or to think that he will get that, without praying to God.

It is He that maketh the art of every sage, the Son of God,  
 the Father the High King,

Concerning the pay of the art, He is best ; worse is he who  
 understands not.

<sup>1</sup> Found in Murphy MSS., Maynooth College, Vol. 70, p. 163 (A), and Vol. 72, p. 48 (B), and Kenehan MSS., Vol. 84, p. 151 (C). <sup>2</sup> So A. no name in B. or C. <sup>3</sup> iarraio, A. B. <sup>4</sup> Leg. eisciallaio? <sup>5</sup> air, A. B. <sup>6</sup> iarraio, A. B. <sup>7</sup> ealaioean, A. <sup>8</sup> Δ mear, A. <sup>9</sup> noé, B. <sup>10</sup> suad, A. <sup>11</sup> ar, A. B. <sup>12</sup> ádair, C. <sup>13</sup> Leg. an t-airto-rí. <sup>14</sup> ar, A. B. <sup>15</sup> air, A. B. <sup>16</sup> Δ óán, B. <sup>17</sup> iarrair, A. B. <sup>18</sup> gé air, A. B. <sup>19</sup> Leg., bail air. <sup>20</sup> deonugad, A. B. <sup>21</sup> eiríodá, C. <sup>22</sup> iarraio, A. B.



O Son of Mary, though son of a woman were it not that He lay  
under the flagstone  
All your deeds (O men) are not worthy before that (read  
muam ?) nor Thy coming as God and as Man.<sup>1</sup>

# EOĊAIR CÉILLE CLOISDEACT.<sup>2</sup>

CORMAC MAC CUILLIONÁIN, cct.

1. EOĊAIR CÉILLE CLOISDEACT, EOĊAIR EAGNA UMĪA,  
EOĊAIR MAITE<sup>3</sup> MÓCPUIT,<sup>4</sup> EOĊAIR ROĊRA PAIÖBRIOR.<sup>5</sup>
2. EOĊAIR RÉIME NÁIRE,<sup>6</sup> EOĊAIR FEIRGE FÚARAIT,<sup>7</sup>  
EOĊAIR AĊAIR<sup>8</sup> EAGLA, EOĊAIR PAINNTE RIORPÉUIR.<sup>9</sup>
3. EOĊAIR GNÍOMA GAIERGE, EOĊAIR MIPE MALLGALL,<sup>10</sup>  
EOĊAIR UAIRLE ÉADAC, EOĊAIR CÁÖAIR CEANNRACĊ.
4. EOĊAIR OÚARA<sup>11</sup> OÚANA, EOĊAIR BUÖÖA BEANNAĊĊ,  
EOĊAIR FEITĪM FEARIANN, EOĊAIR AILLE<sup>12</sup> ABAD.<sup>13</sup>
5. EOĊAIR COMAIR COINNMEADÖ, EOĊAIR CAIBDEANN<sup>14</sup> COGADÖ,  
EOĊAIR OIBE<sup>15</sup> OIÜLLCA,<sup>16</sup> EOĊAIR FEILBE REACA.<sup>17</sup>

<sup>1</sup> If Christ did not die, and rise from the dead, we are still in our sins.

<sup>2</sup> Murphy MSS., Vol. 70, p. 157. This poem is obviously only a fragment. Some words are obscure to me. The rendering is in some cases merely tentative. I have not changed or improved the spelling of the MS.]

<sup>3</sup> The gen. PAITE is peculiar; read PAĊA.

<sup>4</sup> RÖ-CPÖÖ (?), great possessions; RÖ CPUIT (?), great beauty; cf. poem in FORAR FEARA, p. 210 (I.T.S.).

<sup>5</sup> Gen. of ROĊAR, usually ROĊAIR.

<sup>6</sup> This is the only line without alliteration.

<sup>7</sup> FÚARAOIR, *apud* Dinneen, Dictionary.

<sup>8</sup> For AĊAIR see Windisch, *Wörtenbuch*, sub. AĊĊUIRIM.

<sup>9</sup> For RIOR-CPÖAIR (?), constant measurements, calculations; or is it connected with RĪRIM, I ask? RIORPĊAIR, *apud* Dinneen, Dictionary.

<sup>10</sup> MALLGALL, slowness.

<sup>11</sup> *Leg.*, OÚAR, OÚAN, as dissyllables each, as in early Irish; and translate 'the key to pains is a poem,' i.e., a poem involves trouble and labour.

<sup>12</sup> AILL, *f.g.*, AILLE .i. MOLAD. See Windisch, *Wört.*

<sup>13</sup> ABAD = AIBÖEACT, or is it 'notice,' 'proclamation'? See *Glossary to Laws*.

<sup>14</sup> CAIBDEANN, cf., COIBÖIN (?), party, band, in *Glossary to Laws*.

<sup>15</sup> OIBE = OIÖA, according to Stokes' *Togail Trai*. Should we read OIBAD = OIÖBAD, *apud* Dinneen, Dictionary. Mr. Eoin MacNeill suggests that OIBE is the verbal noun of OIBENIM.

<sup>16</sup> *Leg.*, OIÜLLCA.

<sup>17</sup> SEACA (?), cf., REACAÖAIM, I bestow, present.



6. Eoðair fearṫa féile, eoðair péine peaca,<sup>1</sup>  
Eoðair táma tairé, eoðair time teiteadó.
7. Eoðair eagna doire,<sup>2</sup> eoðair baoire breiṫfeal,<sup>3</sup>  
Eoðair tñúite tpeadba, eoðair dat la<sup>4</sup> buaircior.
8. Eoðair ruirge ruaircior, eoðair feara foḡluim,  
Eoðair éada ainble,<sup>5</sup> eoðair cirtce<sup>6</sup> comruinn.  
Eoðair dobruinn<sup>7</sup> oiaóire, 7c.<sup>8</sup>
9. Rom ainicc <sup>9</sup> Oia oilear Air iṫfpeann<sup>10</sup> féig feoðair,  
Narab ar mo rianaib,<sup>11</sup> ḡlar dá iadā<sup>12</sup> o'eoðair.<sup>13</sup>  
Eoðair céille, 7c.

1. The key to sense is hearing, the key to wisdom humility,  
The key to prosperity is great store, the key to profit is wealth.
2. The key to refinement is modesty, the key to anger is rancour,  
The key to restitution is fear, the key to covetousness is begging (?)
3. The key to action is valour, the key to mad haste is  
The key to nobility is raiment, the key to honour is mildness.

<sup>1</sup> Read peacaó.

<sup>2</sup> Used for doir.

<sup>3</sup> Cf. Dinneen, Dictionary, *sub.* bpaṫall, and poem 'Ó ro ḡaib crior fá na coluinn,' *apud* Murphy MSS., Vol. 71, p. 111, and Vol. 72, p. 145, 'noðā tṫáinṫ tar a óéao nió baó bpeáḡ ná baó bpiopaḡ.'

<sup>4</sup> datla (?), *leg.* oadoda (?), of hate.

<sup>5</sup> ainble, .i., anble, .i., an féile. See Windisch, *Wört.*

<sup>6</sup> For cirt.

<sup>7</sup> dobruinn; Mr. MacNeill suggests oḡruinn, anguish.

<sup>8</sup> Oiaóire; Mr. MacNeill suggests oiaire, haste, cf. *Glossary to Laws*, oithri.

<sup>9</sup> *Leg.*, nom aince, a pres. sub. of anḡio, with unfixed pronoun of the 1st per. sing. and optative po. See Strachan, *Selections from Old Irish Glosses*.

<sup>10</sup> .i. rṫruinn.

<sup>11</sup> After my pains in this world.

<sup>12</sup> .i. iadāó.

<sup>13</sup> Eoðair has the sense, 'edge,' 'border,' as well as 'key.'

4. The key to prizes is poems, the key to victory is blessing,  
The key to surveying is land, the key to praise is ripeness (?)
5. The key to power is coigny, the key to \_\_\_\_\_ is war.  
The key to want is refusal, the key to possession is \_\_\_\_\_
6. The key to miracles is hospitality, the key to pain is sin,  
The key to trance is weakness, the key to fear is flight.
7. The key to wisdom is age, the key to folly is deceit (?)  
The key to longing is possessions, the key to \_\_\_\_\_ is  
gloominess.
8. The key to courting is pleasantness, the key to knowledge  
is learning.  
The key to jealousy is stinginess, the key to justice is equal  
division.  
The key to \_\_\_\_\_
9. May dear God protect me against fierce cruel hell,  
May there be not out of my pains (?), a lock being shut  
with a key.

Δοῦναι τοῦτο ἔστιν ἐν εὐχαρίᾳ μαρτυρεῖν τὸν Θεόν καὶ διὰ τοῦτο <sup>ἡ</sup>Θεοῦ.<sup>1</sup>  
 Ἐν ἐκείνῳ καὶ ἀποδοῦναι ἀπὸ τοῦ ἑαυτοῦ καὶ ἑαυτὸν καὶ ἑαυτὸν  
 ἐν ἑαυτῷ.

It is pleasant for folk of knowledge, for they have acquaintance  
with God.

The highest hill is the coldest, though it is to it the sun is nearest.

Τομάς υα Νουλλάιν.

[Conclusion in next Number.]

<sup>1</sup> Murphy MSS., Vol. 72, p. 427.

## THE ORIGIN OF THE CULTUS OF THE SAINTS <sup>1</sup>

A VEXED question in the philosophy of history has been, and will be for some time to come, the extent and the nature of the interaction between heathen and Christian thought, art, and worship during the first centuries of our era. I say during the first centuries, using rather a general term, for it is difficult to say precisely at what date the process ceased. Opinions differ as to the length of the period of interaction as widely as they do as to its nature and results. The readers of Harnack's Berlin lectures of 1900 will have set before them, within the space of a few chapters, a version of a Protestant liberal opinion on the development of Christianity from a few religious notions preached by a mystical seer to a scheme of doctrine, enunciated by councils and enforced by the authority of the Church claiming to be divine. The stages of transformation are signalised in Harnack's work thus :—

The first stage of any real influx of definitely Greek thought and Greek life is to be fixed at about the year 130. It was then the religious philosophy of Greece began to effect an entrance, and it went straight to the centre of the new religion. It sought to get into inner touch with Christianity, and conversely, Christianity held out a hand to this ally. We are speaking of Greek philosophy ; as yet there is no trace of mythology, Greek worship and so on ; all that was taken up into the Church cautiously, and under proper safeguards was the great capital which philosophy had amassed since the days of Socrates. A century or so later, about the year 220 or 230 the second stage begins ; Greek mysteries and Greek civilization in the whole range of its development exercise their influence on the Church, but not mythology and polytheism, these were still to come. Another century, however, had in its turn to elapse before Hellenism as a whole, and in every phase of its development was established in the Church. Safeguards, of course, are not lacking here either, but for the most part they consist only in

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<sup>1</sup> A paper read before the Society of St. Bede.



a change of label ; the thing itself is taken over without alteration, and in the worship of the Saints we see a regular Christian religion of a lower order arising.<sup>1</sup>

This 'religion of the lower order' he subsequently shews as culminating in Greek Catholicism, which is a product more pagan than Christian. The facts which lead a scholar like Harnack to the opinion just cited are evident enough. Needless to say, this opinion is a personal interpretation of the facts, and Catholic scholars who are quite as aware of them as he is, naturally explain them differently. The question we may be sure will not be settled—if it can be ever settled in any absolutely definite way—by any cocksure 'aprioristic' considerations. The first duty of anyone who is to be of any real use is to ascertain the facts and judge them dispassionately. He can then go on to establish a clear theory. Has this been thoroughly done yet ? It is permitted to doubt it. Those who are best able to make a synthesis are not too anxious to build up anything more solid than provisional hypotheses. They see plainly enough resemblances between Christian forms and those of heathenism, but how far they are accidental, and which religion has active and which passive—these questions give them pause.

Let Professor Cumont, who is an acknowledged authority on the religion of Mithra, come as an example of this caution as it affects his own department of study.

We cannot presume, [he says] to unravel to-day a question which divided contemporaries and which will doubtless forever remain insoluble. We are too imperfectly acquainted with the dogmas and liturgies of Roman Mazdaism, as well as with the development of primitive Christianity, to say definitely what mutual influences were operative in this simultaneous evolution. Be this as it may, resemblances do not necessarily suppose an imitation. Many correspondences between the Mithraic doctrine and the Catholic faith are explicable by their common Oriental origin. Nevertheless, certain ideas and certain ceremonies must necessarily have passed from one cult to the other ; but in the majority of cases we rather suspect this transference than clearly perceive it.<sup>2</sup>

<sup>1</sup> Lecture xi.

<sup>2</sup> *The Mysteries of Mithra*, chap. vi.

Dill, in his notable study of the Roman religion of the beginning of our era, endorses the hesitations of Cumont.

I purpose, after these preliminary cautions, to treat under its most general aspect the origin of the Cultus of the Saints in the Christian Church. This cultus originated with the worship paid to Christian martyrs in the locality in which they laid down their lives. In the course of time by a natural evolution, saints who were not martyrs were venerated by public honour, and local cults became extended to larger areas as the custom of honouring the saints became more general, and as relics were dispersed or transferred to different Churches. The questions to which I wish to direct your attention are simply these: Is there anything in common between heathen apotheosis and hero-worship, and the Christian cultus of the saints? And secondly, Is the worship in the two cases identical?

It is sometimes assumed that heathenism and Christianity have absolutely no common ground, and perhaps this assumption is the cause of more misunderstanding in matters such as these, than any other. Evidently all religions *have* a common element in the faculty for wonder, and the natural instinct to reverence what is divine. Much that pagans thought and said on the subject of religion may be taken over without scruple or modification by the devout Christian. I need not here insist on this view so eloquently yet so soberly expressed by Newman in his essay on the Church of Alexandria.

When, therefore, we find any resemblance between religions whose doctrines on the whole differ even to opposition, we shall often discover that they are more frequently brought about by the action of the religious sense which is a common inheritance of humanity, than by a borrowing and lending process. It is the human brain, alike in structure whether in a Christian or a heathen skull, and the same gamut of human emotion which shape the expression of all worship. If we remember that the

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<sup>1</sup> *Religion from Nero to M. Aurelius*, bk. iv., c. 6.

<sup>2</sup> *Arians of the Fourth Century*, chap i., sec. 3.

Christian revelation was given to men, not to destroy but to fulfil, not to obliterate but to direct religious instinct, resemblances between Christian and Pagan cults need cause us no surprise. The reverence paid by the Christian to a saint, *has*, then, something in common with the hero-worship of a heathen. It is in fact hero-worship of a particular kind. It has its roots, not in a Greek or a Roman or an Egyptian conception, but in that universal human instinct which carries men on to worship, and honour whatever is great in dignity and achievement.

Except as calling attention to interesting parallels, it seems nugatory for the naturalistic school to parade with solemn head-shaking the affinities of the cultus of heroes and that of the saints. One sees the description of the intermediary divinities in Apuleius placed side by side with the Tredentine teaching of the doctrine of saintly intercession. 'Messengers of prayers and benefits,' says Apuleius, 'these minor deities bear the requests of men to the gods, and carry back favours from gods to men. They are the interpreters of the latter and ambassadors of the former.' And the Catechism of Trent ascribes, in somewhat similar language, the same rôle to the saints. Again, the apotheosis decreed by the Roman Senate is sometimes compared with the canonization by a Pope and there is undeniably a general resemblance between the two events. Then, besides this official action there are shewn a multitude of popular exhibitions of worship such as the dedication of cities and countries, pilgrimages, the erection of statues and shrines, the finding and translation of relics. Legends, pagan and Christian, sometimes get identified. 'Every religion,' says de Maistre, 'germinates a mythology.' Add all these facts together—and they are a goodly array—then feast the imagination on a crowd of Christians newly converted, sometimes half converted from heathenism, kneeling before the tomb of a saint, or making a pilgrimage to a Christian shrine where but a few years they had adored the *genius loci*, and hero-worship and the cultus of saints will seem to be of the same stamp and character. A piece of diplomacy, related by Gregory of Tours (*d.* 594), shows



the succession of the Christian to the pagan cult. He tells us of a lake in Gevardan near a Mount Helanus, which was a celebrated place of pilgrimage for the whole countryside. Peasants used to troop there in crowds, and hold there every year a veritable triduum of idolatry. The bishop preached against the custom but to no purpose. Then, as a final resource, he built a basilica on the shore of the lake, dedicated it to St. Hilary of Poitiers, and placed relics of the saint there. His scheme succeeded, and the people who had brought their votive offerings to the goddess of the pool, now laid them at the altar of the Christian church, 'and thus they were delivered from the bonds in which they had been tied.'<sup>1</sup>

In presence of facts such as these, it would be foolish to deny either the resemblance or the connexion between the cult of the lesser divinities and that of the saints. Are, then, the two forms of worship in any true sense identical? Those who regard them so have been misled, it would seem, by an optical illusion. There is a great abyss set between them—they are radically different, just as different in fact as a Christian martyr is from a pagan hero. I once read a very silly and amusing book, written by a serious Irish Protestant clergyman. Among the chief episodes calculated to shock the Christian mind of his readers, was one which concerned some country parish priest who wanted a statue of our Lady for the devotion of his parishioners. He went to Rome to make his purchase, and in his wanderings among the studios happened to see a beautiful statue of Venus. This was his opportunity. He ordered the statue to be altered and sent on to his address. He placed it in a niche, and his people were delighted to say their rosaries before it. This in the eyes of the pious author was a shocking indictment and a manifest proof of the paganism of the Roman Church. It would appear that some of our folk-lorists and students of comparative religion make a mistake much like that of the simple-minded minister who

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<sup>1</sup> *Greg. of Tours Di gloria confessorum*, P.L. 71, col. 831.

told that tale. As a matter of fact, granting for a moment that the story is true, where is the paganism in the devotion of the priest's Irish parishioners? The statue does not suggest Venus to them, it suggests the Mother of Christ, and their worship is Christian. So the cultus of the martyrs differed from that of the heroes. Whatever the superficial likeness, its character receives its particular determination from the living person to whom it is directed.

We must not leave out of consideration the circumstances under which the martyrs received their title to veneration. Literary men and antiquarians are very liable to deception in this matter from the reason that they do not realize the concrete circumstances under which the faithful began to pay homage to those who had died for the faith. Veneration was not decreed to the martyrs by a school of Christian philosophers, who sat in solemn conference, intent on reconciling Greek thought with the dogmas of faith. No; reverence and enthusiasm were born in Christians during the trial and the torture of their fellow-believers. They knew, they felt that the moral grandeur of martyrdom was a victory, that the conquest of the powers of the world was a claim to immortality and power with God. Here it was that nature rendered its tribute of admiration to courage and endurance. The memory of the supreme acts of fortitude lived on—shrines and anniversaries and veneration of relics, and invocation were sure to follow. And as a background to the scene of martyrdom there was that grand conception of the Communion of Saints. It is here, surely, that the starting point is to be found for the practice and the doctrine of the veneration of the saintly dead.

Could we penetrate into the inner thoughts of a Christian of the first centuries, I think that the very basis of his religious life would be found in his intimate recognition of this doctrine of the spiritual Kingdom of the elect, comprising all, whether living or dead, in whom God dwelt by the gifts of Grace. I would not go so far as to say that our early Christian would be able to express this belief

with theological precision, or that he could co-ordinate all that he believed into a system; but if anything is evident from the early records, it is that there was a sense of communion centering in Christ, and spreading outward from Him till it embraced all the elect. I speak diffidently here, but it appears to me that this sense of the kinship of holy souls was so strong that it became sometimes even a danger. That tendency to confine the membership of the Church to the innocent alone, revealing itself in some in Montanism, in Novatianism, in Donatism, was an exaggeration of the feeling shared by all that there existed a kingdom of souls which were profiting by the Redemption of Christ and which were joined by a bond of Charity both to Him and to one another. The theology of St. Paul on this mystical Kingdom seems to have been more strongly realized in the early Church than ever it has been since. The belief in the speedy return of the Judge gave it an impetus in the beginning which could not easily spend itself, the charismata which held so prominent a place in the early Church had as a result a clear doctrine of the inhabitation of the Holy Spirit in the Christian community, here were elements which conspired to give a foremost place to the doctrine of Christian solidarity. That the martyrs held a glorious office in this supernatural citizenship is a primitive belief attested by evidence both plentiful and various. They were Christ's by a title all their own, viz., their conformity to Him in His redemptive martyrdom.

A passage in the *Martyrium Polycarpi* will suffice to justify most of what has been said :—

When the adversary of the race of the righteous, the envious, the malicious and wicked one, perceived the impressive nature of his martyrdom, and (considered) the blameless life he had led from the beginning, and how he was now crowned with the wreath of immortality, having beyond dispute received his reward, he did his utmost that not the least memorial of him should be taken away by us, although many desired to do this, and to have fellowship with his holy flesh. For this end he suggested it to Nicetes, the father of Herod and brother of



Alce, to go and entreat the Governor not to give up his body to be buried, 'lest,' said he, 'forsaking Him that was crucified, they began to worship this one.' This he said at the suggestion and earnest persuasion of the Jews, who also watched us, as we sought to take him out of the fire; being ignorant of this, that it is neither possible for us ever to forsake Christ, who suffered for the salvation of such as shall be saved throughout the whole world; nor to worship any other, for Him as being the Son of God we adore; but the martyrs as disciples and followers of the Lord, we worthily love on account of their own King and Master, of whom may we also be made companions and disciples.<sup>1</sup>

Here is in practice the cult of the saints, in the middle of the second century, and one notices at once the deep theological reason embedded in it. It is distinguished clearly in the mind of the Martyrologist from the worship of the Son of God, its foundation is plainly seen to be that which has been throughout the basis of the veneration of saints in the Catholic Church, viz., the sure immortality that awaits those who have heroically followed the footsteps of the Conqueror of death. To what extent the pre-eminence of the martyr was acknowledged by the early Church is reflected in the opinion of Tertullian. In common with many others he believed that the final entrance into heaven was delayed to the end of the world, in the meantime the souls of the just were kept by God in a place of refreshment outside the palaces of heaven. But for the martyrs he makes an exception. The martyrs only were seen by John in the Apocalypse under the altars, and Perpetua in her vision saw only the companions of her sufferings. Blood only then was the key to Heaven.<sup>2</sup>

Again, Origen teaches another privilege attached to martyrdom, that of supplying for and excelling the baptism of water.<sup>3</sup> It is he who witnesses most clearly to the distinctly Christian and theological aspect of devotion to the Holy Martyrs, whose sufferings he regards as the complement to the Passion of our Lord. With Origen the distinction between the saints in heaven and the elect upon

<sup>1</sup> *Mart. Pol.*, chap. xvii.

<sup>2</sup> *Antimarcion*, 4. *De Anima*, 55.

<sup>3</sup> *Exhort ad marty.* 30.

earth almost vanishes; the saints intercede—prophets, apostles, disciples, whoever is with Christ,<sup>1</sup> the souls of the dead hover round the Christian altar.<sup>2</sup> We are closely joined with the saints. 'For if we are sure to have fellowship with the Father and the Son why not also with the saints, not only with those who are on earth but with those in heaven?'<sup>3</sup> What has been said may be regarded as representative of much more, written in the same sense. It helps us to realize what we might call the Christian psychology regarding martyrdom and the honour befitting the saints.

It is well to note that the quotations which have been made here, and the passages which have suggested these views, have been taken from sources of that period which, according to Harnack, preceded by a long distance the installation of pagan mythology in the Christian Church. The more one studies the evidence, the more is one convinced that the cultus of the saints is a Christian growth, germinating from the high doctrine of the mystical body of Christ preached by St. Paul in the apostolic age; and that being once established, exaggerations and abuses and interpenetration of Christian and pagan legend are, after all, comparatively unimportant matters.

W. B. O'Dowd.

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<sup>1</sup> *Num.*, hom. 24.

<sup>2</sup> *De o:at.*, xxxi.

<sup>3</sup> *In Lev.*, hom iv.

# Notes and Queries

## THEOLOGY

### SOME RECENT DECISIONS CONCERNING THE DECREE 'NE TEMERE'

I beg to call the attention of my readers to the decisions of the Sacred Congregation of the Council concerning the decree *Ne Temere*, which appear in the present number of the I. E. RECORD. Some of them are of exceptional importance for this country; others do not concern us much, and for these I refer the reader to the text of the decisions.

1. The first decision settles a disputed question about the method of contracting *sponsalia*. Are espousals valid if the contracting parties sign the document at different times before the parish priest or ordinary of the place, or before two witnesses. The question proposed to the Congregation for solution makes no distinction between the case when the witness or witnesses are the same for both signatures, and the case when the witness or witnesses are different for each signature; and the reply equally embraces both cases. In his useful commentary, *De Forma Sponsalium et Matrimonii*, Father Vermeersch<sup>1</sup> maintained that espousals would be valid even though the signatures are appended at different times and places and even before different witnesses. Father A. A. Tabia,<sup>2</sup> the Consultor of the Congregation, held that the document must be signed by the parties on the same occasion before the parish priest or the ordinary of the place, or before two witnesses. Admitting that the text of the decree *Ne Temere* gave no assistance in deciding the question, he held that the spirit of the law demanded that the parties sign the document on the same occasion, one after the other, in the presence of the same witness or witnesses. This is the method adopted by legislators

<sup>1</sup> *De Forma Sponsalium et Matrimonii*, 4th ed.

<sup>2</sup> Cf. *Analecta Ecclesiastica*, August, 1908, p. 338.



for public documents, and any other method would open a way to fraud and uncertainty. The Sacred Congregation accepted the view of its Consultor, and decided that the document must be signed by the parties on the same occasion before the same witness or witnesses.

The important question arises from this decision: How can espousals be contracted *inter absentes*? A, who is in Ireland, desires to contract espousals with B, who is in America; is there any method in which they can validly do so? As is now clear, they cannot adopt the method above mentioned, but Father Vermeersch<sup>1</sup> indicates another way out of the difficulty. By the appointment of a procurator who will sign the document in the name of his principal the espousals can be duly contracted. Against this method the difficulty has been urged that according to the decree *Ne Temere* the document must be signed by the parties, but the principle—*qui facit per alium facit per se*—seems to solve the difficulty.

If I mistake not, the principles underlying the decision of the Sacred Congregation help to solve another question which I discussed in the pages of the I. E. RECORD.<sup>2</sup> Must the parties sign the document in the presence of the witness or witnesses? In face of the recent decision I believe that the Sacred Congregation cannot but decide that it is necessary to sign the document in the presence of the witness or witnesses; otherwise there is no reason why a valid instrument should not be drawn up in the manner declared invalid by the recent decision.

2. The second decision is in harmony with the method of interpretation adopted in solving the first question. Commentators as a rule held that it was not absolutely necessary to affix the date to the document of espousals, on the ground that the decree made no mention of this formality. Judging, however, by the spirit rather than by the letter of the law, the Sacred Congregation has decided that the date must of necessity be affixed to the document. Hence the day, the month, and the year must be mentioned in the signed document.

<sup>1</sup> *loc. cit.*

<sup>2</sup> I. E. RECORD, April, 1908.

3. In the past mere passive assistance of the parish priest or his delegate was all that was required and usual in the case of mixed marriages even in places where these came under the annulling law of clandestinity. The new legislation evidently made a change in this matter, because without making any distinction between mixed and other marriages it laid down that the assisting priest must ask and receive the consent of the contracting parties. The Sacred Congregation has now decided that this view is accurate, and has also given a warning that so far as lawfulness of assistance is concerned the rules and regulations of the Holy See must be observed. It does not follow from this decision that *per se* any religious rite can be employed on the occasion of a mixed marriage. All that follows is that the assisting priest must now ask and receive the consent of the contracting parties, else the marriage will not be valid. There was never a written law prohibiting a priest from doing this much, but, there being formerly no necessity for this active assistance, mere passive assistance was all that was usually given. There was a special prohibition forbidding more than mere passive assistance at mixed marriages when the necessary dispensation was not obtained, and when the presence of the parish priest was permitted for the purpose of having a valid marriage. That law was not at least expressly extended to all mixed marriages, and the act of asking and receiving consent, which was formerly allowed or at least was not forbidden by written law except in a particular case, now becomes necessary for the validity of the marriage.

Inasmuch as the decision states that the rules and regulations of the Holy See must be observed for the lawful celebration of mixed marriages, nothing has been changed in the law regarding these marriages beyond the one point already mentioned. At the same time the special privilege which Pius IX granted to Bishops in 1858 whereby they can allow a religious rite, Mass being always excluded, when they deem it prudent to do so remains in force.

4. Some commentators were inclined to hold that the

new legislation ruled out general as distinct from special delegation to assist at marriages. It has been now decided that in regard to the manner of delegation no change has been made by the decree *Ne Temere* beyond what is implied by the fact that in future the delegation must be given to a priest who is determined and certain, and must be confined to the territory of the delegating parish priest. Hence a parish priest can give general delegation to his curate or curates to assist at marriages within his territory. For the lawful use of this delegation the rules laid down in the decree must be observed, so that if at least one of the contracting parties be not a subject of the delegating parish priest, the permission of the proper parish priest must be obtained except in cases of grave necessity.

What must now be thought of the mutual and general delegation of parish priests which was allowed in some large cities, v.g. Cologne,<sup>1</sup> under certain limitations and restrictions? Obviously such mutual and general delegation is needed no longer for the valid celebration of marriage, since each parish priest is the authorized witness of marriages within his own parish. Such mutual and general delegation, however, can serve as permission to assist lawfully at the marriages of persons who are not subjects of the parish priest in whose parish the marriage is celebrated.

#### DELEGATION TO ASSIST AT MARRIAGES

REV. DEAR SIR,—The following questions are respectfully proposed for solution by the member of your theological staff who so generously spends his time in giving solutions to questions that are debated and puzzle working priests on the mission. I am one of that class.

#### STATEMENT OF THE CASE.

I am Rector of a mission in England. My Bishop sent me faculties 'to assist validly and licitly at marriages,' within the boundaries of my mission. Again, he gave me faculties to delegate another priest to assist at marriages within the boundaries

<sup>1</sup> Cf. S.C.C., 18 March, 1893.



of my mission; but, however, I was not to delegate any priest of another diocese, except my own, 'without his special permission.'

My questions are :—

1. Are my faculties to assist at marriages from the Pope by reason of his new decree, *Ne Temere*; or, are they from my Bishop?

2. Has my Bishop the right to limit my faculties of delegation to the priests of his diocese only?

I give my own opinion. It is this. My faculties come from the Pope and not my Bishop. When my Bishop gave me faculties to assist validly and legitimately at marriages he was tampering with a Papal law, and apparently from his own power giving me a 'faculty' which I held independent of him until—which God forbid—I am excommunicated *nominatim*, or suspended by a public decree.

Secondly, my Bishop in limiting my faculties of delegation has acted *ultra vires*. I hold that I have the power as *quasi-parochus*, to delegate any priest who is validly ordained—provided of course that he is not excommunicated by public decree, no matter who he is, and no matter where he comes from.

These are my questions. I respectfully request an answer. It seems to me that it will take five or six years to grasp the whole teaching of *Ne Temere*.

#### AN ENGLISH RECTOR.

1. The faculties of 'An English Rector' to assist at marriages within his own district come directly from Canon Law as contained in the decree *Ne Temere*. Hence episcopal delegation to assist validly at marriages in the rector's district is unnecessary. The truth of this is clear from the following paragraph of the decree :—

Nomine Parochi hic et in sequentibus articulis, venit non solum qui legitime praeest paroeciae canonice erectae; sed in regionibus ubi paroeciae canonice erectae non sunt, etiam sacerdos cui in aliquo definito territorio cura animarum legitime commissa est, et parochus aequiparatur. . . .

The rector of an English parish or district comes under the description of a *parochus* contained in the latter part of this decree. Of course it is understood that with regard to lawful assistance at marriage the rules laid down for parish priests in general must be observed.

2. The rector of an English parish or district has power to delegate another priest to assist at marriages within the rector's district. This power comes directly from Canon Law through the decree *Ne Temere*: 'Parochus et loci Ordinarius licentiam concedere possunt alii sacerdoti determinato ac certo, ut matrimoniis intra limites sui territorii assistat.' Hence, independently of the ordinary, the rector, who is a parish priest in the sense of the decree, can delegate any other priest, no matter whence he comes, if he is not by name excommunicated or suspended from his office, to assist validly at all marriages within his district and to assist licitly if the rules for lawful assistance be observed.

It must be borne in mind, however, that the ordinary can make a law prohibiting parish priests from delegating other priests to assist at marriages, if there are good reasons for so doing.<sup>1</sup> Hence an episcopal regulation limiting delegation cannot be disregarded though the delegation would be valid if it were given. This was true under the old law of clandestinity, and nothing in the new law makes a change in this power of the Ordinary.

#### TRANSCERENCE OF HONORARIA

REV. DEAR SIR,—In the supplementary decree concerning the transference of Manual Masses (May 22, 1907), it is laid down that 'whoever commits Masses to priests, whether secular or regular, who are outside the diocese of the sender, is bound to do so through the medium of their Ordinary, or at least, with his knowledge and approval.'

(1) I would deem it a great pleasure if you would kindly explain who is the *Ordinary of Regulars* referred to in the decree. Is it the *Bishop of the Diocese* in which Regulars happen to be domiciled, or the *Provincial Superior* of the Order to which they belong? The latter is my own interpretation of the wording of the decree; and should that interpretation be correct, am I (2) right in concluding that a priest may *lawfully* commit Masses to Regular priests living outside the sender's diocese, provided the aforesaid Regulars have license but only from their respec-

<sup>1</sup> Cf. S.C.C., 19 December, 1795.

tive Provincials, to receive such Masses, or provided they do so at least with their Provincial's knowledge and approval?

Of course I refer to exempt Regulars. Thanking you in anticipation, I beg to remain, yours sincerely,

DUBIUS.

1. Since the decree to which my correspondent refers speaks of 'their ordinary,' and not of 'the ordinary of the place,' there can be no doubt about the accuracy of the view which says that the ordinary whose permission is required in the case of regulars receiving honoraria is their own ordinary who is their provincial.

2. If the regulars have the license of their own ordinary the sender acts lawfully in committing Masses to their charge. Presumed permission, however, is not sufficient since the decree says: '*aut ipso (eorum ordinario) saltem audito atque annuente.*' Tacit consent, however, seems sufficient, and in the case proposed for solution at least tacit consent of the ordinary is present.

#### ASSISTANCE AT HERETICAL WORSHIP

REV. DEAR SIR,—Will you kindly give your opinion on the meaning of the following decree of the Maynooth Synod:—

'*Omnino prohibentur Catholici ne haereticorum templa visitant ut cultui eorum assistant*' (Maynooth Synod, p. 56, n. 38.)

I hold that the above prohibits simply voluntary presence (material or formal) at a religious service, and for the following reasons:—

(a) The natural law prohibits formal assistance, and therefore there is no need of a positive law; (b) I think the distinction is between going in to examine the building and going to see a religious ceremony.

C.C.

To my mind the Maynooth Statute merely forbids people to visit heretical churches with the object of taking part in heterodox worship. The decree is of strict interpretation, and must, till the contrary be proved, be understood in the same sense as the general law of the Church which does not prohibit a visit to heretical churches with the



mere object of seeing a religious ceremony. So long as the visitor makes it clear by his mode of acting in the church that he does not join in the ceremonies, he does not violate the general ecclesiastical law. Moreover, the words of the Statute : *ut cultui eorum assistant*, if strictly interpreted, mean nothing more than a visit with the intention of taking part in the worship. If more were meant some such phrase as *ut cultui eorum adsint* would have been used.

The first reason given by 'C.C.' for his view proves nothing because the ecclesiastical law frequently adds its sanction to the natural law. The general law of the Church in this very matter prohibits only actions which can reasonably be taken as joining in the worship.

'C.C.'s' second reason is a mere statement of his opinion.

#### HEROIC ACT

REV. DEAR SIR,—Will you kindly answer in the I. E. RECORD the following question : Can the Heroic Act of Charity be made for one particular soul in Purgatory ?

On page 304 of the March, 1908, number of the I. E. RECORD the Heroic Act of Charity is said to be a 'spontaneous offering in favour of the *Holy Souls*,' etc. On the same page we read : 'Nor is it against the essence of the Heroic Act to offer satisfactions, indulgences, and suffrages for a *particular Holy Soul*.'

Several priests who read this would be pleased for an explanation

SACERDOS.

The difficulty of 'Sacerdos' arises from his failure to remember the way in which Papal documents concede indulgences which are applicable to the Holy Souls. Though these indulgences can be applied to a particular Holy Soul, the official document state that they can be applied to the Holy Souls, so that the use of the plural does not imply impossibility to apply the indulgences to an individual.

#### REGISTRATION OF MARRIAGES

REV. DEAR SIR,—In the decree *Ne Temere*, clause ii. sec. 3, we read : 'Sacerdos in priori casu, testes in altero tenentur in

*solidum cum contrahentibus,* etc. Are the *contrahentes* bound in both cases? It would seem strange that the obligation in question should be imposed on parties *ex hypothesi in extremis*.

PAROCHUS.

Undoubtedly all the parties concerned are bound *in solidum*, as the words of the decree clearly state. When a person is *in extremis*, his obligation does not urge beyond his power, since he is not bound to the impossible. Frequently, however, he is able to have word of the marriage sent to the parish priest who will make the necessary registrations. He can also, if he happens to recover, see that the registrations are or have been duly made.

J. M. HARTY.

## CANON LAW

### APPEAL FROM THE VICAR-GENERAL TO THE BISHOP

REV. DEAR SIR,—How are we to understand this rule of law: ‘A Vicario Generali ad Episcopum non datur appellatio’? Suppose that a case has been submitted to the Vicar-General for decision, and the sentence pronounced by him seems unjust to one of the litigants; or suppose that a Vicar-General has been petitioned for a dispensation and he has refused to grant it, apparently without any plausible reason, is it forbidden in these cases to have an appeal to the Bishop to cancel or reform the sentence passed by his Vicar?

And what about the opposite case? Is there any appeal allowed from the Bishop to his Vicar-General in this sense that a dispensation, for instance, which has been denied by the first might be validly conceded by the latter?

CURIOUS.

The appeal, which is by ecclesiastical law forbidden to be interposed from the Vicar-General to the Bishop, must be taken to be the canonical appeal in the strict sense of the word, or a recourse which would amount to and have in practice the same effect as a canonical appeal. In other words, it is prohibited to appeal or have recourse to the Bishop in order to decide as to the justice or equity of a

valid sentence passed by his Vicar-General, and to revoke or correct it if found unjust or iniquitous. For, a revocation of a sentence for that purpose is supposed to be the effect of protection by the higher authority, a protection invoked through the appeal by subjects against abuses of jurisdiction of their immediate superiors; hence, an appeal aiming at that object must be always lodged from an inferior to a superior judge. Now it is well known that the Vicar-General, *exceptis excipiendis*, holds and exercises the same jurisdiction as that of the Bishop, and that both have one and the same tribunal; an appeal from the one to the other, therefore, would be lodged before the same judicial person or court as that which passed the first sentence, contrary to the notion and scope of a strict canonical appeal. From this theory it follows that if the Bishop is appealed to not for the purpose of deciding as to the justice of a sentence passed by his Vicar-General, but only to see whether it was valid and delivered according to the prescriptions of the law, or if the Bishop be petitioned to give an absolution from or mitigate the penalties inflicted by a valid and just sentence of the Vicar-General, such a petition or appeal, which is not a strict canonical one, may be lawfully interposed, as the same superior who pronounces a sentence may try the case about its validity, and condone the penalties imposed upon his subjects.

It goes without saying also that there lies an appeal from the Vicar-General to the Bishop when the former acts as a delegate of the latter. In that case the authority of a Vicar-General differs from that of the Bishop, and the appeal is lodged from an inferior to a superior judge.

With regard to extra-judicial acts or ordinary acts of administration such as concessions of faculties, dispensations, and the like, seeing that the same superior who grants them may alter or withdraw them, against those acts there lies an appeal from the Vicar-General to the Bishop; but it would be forbidden to refer those cases to the Bishop for a decision as to their justice or equity, a decision which the same superior who exercised the acts is supposed to be incompetent to give. Nor can this effect be attained in this



sense that it is only a recourse made to the Bishop instead of a canonical appeal, because in reality the one would be equivalent to the other. 'Fundamentale est,' writes Lega, 'recursum non admitti qui aequivalet appellationi;' and if that be allowed, remarks Bouix, one might easily evade the law which forbids such an appeal by simply changing the word 'appeal' into 'recourse.'<sup>1</sup>

In practice, however, the exercise of voluntary jurisdiction by a Vicar-General may be corrected or modified by the Bishop in the sense that, independently of the justice or otherwise of the acts of jurisdiction exercised by the Vicar-General, the Bishop may, according to different cases, repeat them on the right lines, withdraw them or concede what was denied by his Vicar. All these alterations in ordinary acts of administration can be made by one and the same superior

The doctrine just expounded holds good in the opposite case of an appeal or recourse made from the Bishop to the Vicar-General. Hence, a canonical appeal or a recourse equivalent to it made from a Bishop to his Vicar-General is invalid; but an act of voluntary jurisdiction of the Vicar-General which was previously refused by the Bishop is valid, provided there be question of matters not specially reserved to the Bishop or requiring special mandate. It is true that a favour denied by one Roman Congregation cannot be validly conceded by another, although equally competent on the matter; but this is due to a special prohibition made by Innocent XII, in order to put an end to the abuses which were prevalent at his time in the Church. Icard, who confirms all this doctrine, writes: 'Si tamen Vicarius Generalis dispensationes aut facultates concedat quas Episcopus ipse non concessisset aut etiam iam recusaverat, valebit actus quia subsistit iurisdictio, nisi Episcopus sibi exclusive huiusmodi negotia reservaverit.'<sup>2</sup>

<sup>1</sup> 'Talis foret (sc. inanis lex) si daretur supplicatio in sensu exposito; quoties enim quis vellet appellare a sententia V. G. ad Episcopum, mutando vocem *appello* in vocem *supplico*, intentum consequeretur.' Cf. Bouix, *De Iud.*, i. p. 377; Lega, ii., p. 445, not. 4.

<sup>2</sup> Icard, i., n. 192; Inn. XII., Const. *Ut Occurratur*, 1622.

## THE CLERGY AT HORSE RACES

REV. DEAR SIR,—The Maynooth Statute, commencing with the words, ‘*A publicis equorum cursibus*,’ etc., is so well known and its import so obvious, that it is quite unnecessary to quote it at length. For the present writer, however, and doubtless for many others, it has a very practical concern. Previous to the publication of the present Statutes, there was a well-recognized custom—in some parts of Ireland—that one priest—a priest of the parish wherein the *cursus equorum* took place, would attend on the racecourse, and this, not *in loco viccino*, but in a highly conspicuous place where he could be an observer of what took place, and where his ministrating might be easily requisitioned, should the occasion arise. In taking this step, priests of *timoratae conscientiae* made no reference whatever to the Ordinary, but went there as a matter of course, perfectly satisfied in their own minds that the accumulation of dangers was such, and the need of supervision of their own people, who were there in their numbers, so imperative, that no law, however explicit, contemplated their absence. It is but fair to add that on similar occasions it was the practice of other priests—a lesser number—to have recourse to the Ordinary. Permission was granted as a matter of course, but as law-interpreters cannot be expected to see always eye to eye, it could easily happen that a concession freely made by one would in perfect good faith seem unnecessary and unreasonable to another, one effect of which would be to disturb the *bona fides* of those who felt themselves secure in a well-established custom.

The present writer, therefore, asks:—

(1) Where such a custom existed—without any reference to the Ordinary—may it still be continued?

(2) Was the practice of some priests, of referring the matter on individual occasions to the Ordinary, necessary, so as to escape the penalty of law breakers, or was it rather a respectful deference to authority, and a seeking of approbation for an act otherwise lawful?

(3) If the practice were unnecessary under the older Statute, is there anything in the newer to make it necessary?

It would appear these questions may be answered in the affirmative,

(1) The new law does not reprobate the custom referred to, even by implication, and, therefore, it may be continued.

(2) It would seem the referring of individual cases to the Ordinary, from the point of view of the Maynooth law, was a work of supererogation. Circumstances throw light on matters.

At the time the custom of acting, without reference to the Ordinary, was fairly universal—in the places referred to—and as priests of *timoratae conscientiae* saw no difficulty in availing of it, it is reasonable to infer that such a custom had its origin in a permission given by the Ordinary—at first perhaps in a particular case, but given in such a way and in view of all the dangers surrounding the racecourse, that it came to be regarded as of universal application, and as partaking more of the nature of an interpretation of the law than of a relaxation of its rigour in a particular case.

(3) Under this aspect of the question, there is nothing in the new law to distinguish it from the old.

Needless to say the present questions are submitted with all deference to authority, and for the sole purpose of eliciting the views of your learned correspondent. They presuppose no other living issue than the anxiety of some priests, who, somewhat perturbed by the more stringent form of the present Statute, are desirous to know how exactly they stand in regard to a practice which, whatever may be said for it from a law point of view, undoubtedly made for the consolation of those who were running serious risks in legitimate sport, as well as for the safeguarding of many of their own people who were checkmated in their excesses by the presence of the *Soggarth Aroon*. F.

The above questions are asked for the purpose of eliciting our views, as our correspondent says; but our views on this subject and its side-issues are so well known and clearly stated in the March and April numbers of the I. E. RECORD that it would appear almost superfluous to state them here anew. However, we make a few remarks to gratify the desire of those priests of tender conscience who, somewhat perturbed by the stringent form of the Statute of the Maynooth Synod regarding attendance of ecclesiastics at horse races, are anxious to know how they stand in regard to the practice of attending on the racecourse without reference to the Ordinary and only for the purpose of coming to the assistance of their people should occasion arise in a sport so full of risks and dangers.

The reasons why they think it lawful to assist at races in these circumstances without any reference to the Ordinary even after the publication of the new Statutes may be reduced to three. The first is, that here there is not



question of all priests assisting at races merely for the sake of the sport, but only of one or a few ecclesiastics of the locality where the races take place who take it to be their duty to witness the events in order to be ready to come to the assistance of their people in case of need, believing that no law can contemplate their absence in these circumstances. The second motive is that there is a practice in that direction which has reached the stage of a well-established custom. The third, that the assistance at races in the case is not even from the vicinity.

To tell the truth we do not see our way to admit as valid any of those reasons for the continuance of the practice in question. In the first place, if we look at the words of the decree we find that the prohibition of assisting at races is unconditional and perfectly absolute, giving no room for exceptions for any ecclesiastic, however authoritative, or for any motive, however laudable ; and we must take for granted that when superiors enact their laws they take great care in using only those words which would faithfully render their intentions in order to avoid mistakes and misunderstandings. Now, the legislators in the Maynooth Synod were undoubtedly cognizant of the risks which people run when taking part in races, and of the duty of local pastors to come to the assistance of their subjects in case of need ; and still when framing the prohibitive law for clergymen to assist at races not only did they abstain from making any exception of person, but, on the contrary, they added to the *abstineant* of the prohibition the word *prorsus*, which is not a mere pleonasm, but a sure indication of the absolute character of the prohibition. Hence, if the superiors deemed it unnecessary to make exceptions, restrictions, or distinctions, it is not for us to make them. It would be against the maxim of law : ‘ *Ubi lex non distinguit neque nos distinguere debemus.*’

On the other hand no inconvenience, legal or otherwise, arises from the plain and natural meaning and import of the words of the decree to justify us in making on them a sort of restrictive interpretation. We would easily understand it to be a real inconvenience to prohibit from witnessing races

even the priest of the locality where they are held ; if his presence were a necessity extreme in nature and not one to be recognized by the diocesan superior according to different circumstances and places ; if the risks which those run who take part in that sport were as certain in character as the prohibition of assisting at it, and, above all, if there were no other way equally effective to attain the same end.

To our mind these two things are not incompatible, viz., to be near the racecourse with the knowledge of some of the spectators and ready to run to the assistance of those who might want it, and, at the same time, not to assist at races. Priests in that way would combine both observance of the law and due supervision of the people confided to their care. And above all it is so easy to have recourse to the superior who may give permission to assist at races not only *toties quoties* but even once for all : a permission which has in the past been granted as a matter of course and, no doubt, will in future be likewise granted by any superior who takes to heart the spiritual welfare of his people, and who, according to different circumstances, thinks it necessary to accord it. This course, which is perfectly legal, and itself not in the least inconvenient, precludes the way to inconveniences and abuses to which the practice of going to races without reference to the Ordinary inevitably leads and has led in the past. At all events, local pastors after applying for a permission to be present at races are relieved from all responsibility which afterwards solely rests on the diocesan superior. Hence, no doubt, there is a great difference between assisting at races for mere enjoyment and attending on them for the purpose of going to the assistance of the people should occasion arise ; but praiseworthy as this latter motive may be it is not excepted in the general and absolute prohibitive law of assisting at races, nor does any real inconvenience arising from such a prohibition give us power of making any exception. That special motive, therefore, of assisting at races, in itself worthy of all praise, must be only a reasonable motive for the Superior to grant a permission and not an excuse for any subject to violate the law.

The second reason that the practice with which we are concerned at present has already reached the stage of a well-established custom does not afford a more convincing argument in favour of its continuance. A custom does not become a legal practice and confer any right unless it be reasonable and introduced, at least, with the legal consent of the superior. Now, it does not seem to be a reasonable practice not to get the permission of the superior to assist at races, while there is no reason for neglecting to ask for it, and it is so easy to obtain it. Nor was that practice reasonable as founded on the presumed consent of the superior, because the legislators, who were aware of that custom, by repeating the prohibition in the new statutes in the same absolute manner as in the old ones, clearly showed that they repudiate all abusive practices which introduced exceptions to their law, and that, therefore, such practices are not in conformity with their intention and must be abandoned.

It might be said, we know, that all we have hitherto expounded is true in the supposition that the priests of the locality where races were held assisted at them *in vicino loco*, and our correspondent tells us that that was not the case. However, he adds, that they attended on the race-course in a highly conspicuous place where they could be observers of what took place and console by their presence those who might run risks during the sport and be a check to others who might be inclined to go to excess. To us, we must confess, that is exactly the description of men who witness races *in vicino loco*, as we expounded at length in our notes of the April number of the I. E. RECORD. It is hard to believe that the priests of the locality of the races did not go to see them where other priests used to go, although they went for a different and far more commendable purpose; and we can scarcely picture to ourselves the curate of the parish assisting at races in a far distant place, aloof from his clerical friends, perched at the top of a hill or house, armed, perhaps, with glasses or inconveniently straining his sight, unmindful of the attractions of the sport, only in his eagerness and anxiety of discovering whether any member of his flock ever came to grief.



From the remarks we have already made, our correspondent may easily conclude :—

(1) That, according to us, the practice of assisting at horse races for any reason whatsoever and without reference to the Ordinary, being an abusive practice, cannot be maintained.

(2) That, consequently, those priests who used to ask for the permission of the Ordinary did not perform a work of supererogation, but only did their duty in carrying out the letter of the law, and in observing its spirit in conformity with the intention of the legislators.

(3) That if there was some doubt in the past whether such permission were needed on account of the prevailing custom, its necessity is now made certain by the repetition of the prohibition in the same absolute manner as before, thus abolishing any custom which introduced relaxations and exceptions. Needless to add that the practice of asking permission to assist at races does more for the consolation of those who are likely to run risks than the contrary custom. For, by permission, priests may assist at races not only from a distant or adjacent place, but even from amongst the body of the spectators, and be also, in that way, a more powerful check to those who are prone to go to excess. We know, in fine, that we are credited with strict views on this matter ; but we feel, at the same time, we cannot modify them, bound, as we are, to observe and follow the rules laid down by the Church for the interpretation of ecclesiastical laws ; so that we conclude with Dante :—

E questo fia suggell che 'ogn omo sganni.

#### REFORM OF THE ROMAN 'CURIA'

REV. DEAR SIR,—A couple of months ago the Holy See issued an important Constitution about the reform to be made in the Roman Curia. As that reform affects us in many respects many a reader of the I. E. RECORD will be grateful to you if you write a commentary on that Papal document. It will be useful and interesting to know from one who is well acquainted

with the machinery and working of the Roman Congregations which are the new modifications introduced in the Roman Curia and their practical utility, what are the motives that prompted the Roman authorities to make them, and, above all, what is their import as far as we are concerned.

M. B

We beg to inform our correspondent that it would be a great pleasure to us to comply with his kind request, were it not for the fact that the Editor in the last number of the I. E. RECORD has already made a brief but clear exposition of the main provisions of that important Papal document, and has also promised to print the other two auxiliary decrees dealing with the ecclesiastical courts and the general norms to be observed by all Roman Congregations.

Moreover, a distinguished Canonist has undertaken to contribute some articles to the following numbers of this journal, and make, thereby, an exhaustive commentary on the Papal Constitution we are concerned with. However, we might occasionally, if asked, elucidate particular points of the Constitution which appear to present special difficulty or interest.

S. LUZIO.

## LITURGY

### THE 'NON INTRES' IN CERTAIN OFFICES FOR THE DEAD; SPECIAL COLLECT IN MASSES OF RELIGIOUS PRO- FESSIONS; ROSARY MYSTERIES FOR SUNDAYS

REV. DEAR SIR,—I will feel obliged if you answer following questions in your next issue:—

1. It is a custom in this district: when a person is buried on Saturday not to hold the Office and High Mass until the following Monday. In this case, should the *Non Intres* be omitted? The practice here is not uniform.

2. In the ceremonial drawn up for the Profession of Sisters of Mercy, and also in that of the Presentation Sisters, there is to be found a prayer which is supposed to be added to the Collects at Mass. Is it lawful to introduce into the Mass a prayer not found in the Missal?

3. What mysteries of the Rosary are to be said on Sundays? When Christmas Day or the Feast of the Annunciation falls on a Friday, what mysteries are to be said?

FERGUS.

1. Assuming that the reason for putting off the Exequial Office and Mass is such as would be recognized by the rubrics, then the celebration on Monday should be exactly the same as it would be if held on the *dies obitus*. 'Quod si ex civili vetito, aut morbo contagioso, aut alia gravi causa, cadaver in Ecclesia praesens esse nequit, imo etsi terrae jam mandatum fuerit, praefata Missa celebrari quoque potest in altero ex immediate sequentibus duobus ex obitu diebus, eodem prorsus modo ac si cadauer esset praesens.'<sup>1</sup> There is no 'doubt, therefore, that in these circumstances the *Non intres* should be said.

2. As a general rule it is, of course, not lawful to introduce any prayer into the Mass which is not found in the Missal. But the authority that approves the Roman Missal can also sanction other prayers as well, and it is to be presumed that the prayers contained in the ceremonials referred to have this requisite authorization. This being so, they may be lawfully recited on the occasion of a solemn profession in these orders.

3. As far as the gaining of the indulgences is concerned there is no obligation of meditating upon any particular set of mysteries either on Sunday or on any other day of the week. When saying, therefore, the third part of the full Rosary—or the five decades—on any day it is a matter of indifference which set of mysteries is selected, so that one might gain the indulgences by meditating on the Glorious Mysteries even on a Friday. Custom, however, has come to arrange things so that certain sets of mysteries are assigned to certain days with the result that in the course of the week each particular set would be used at least twice. In prayer-books and other manuals of devotion a distinction is also made between the Sundays, according to which the Sorrowful Mysteries are used during

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<sup>1</sup> S.R.C. Decr., n. 3755.



Lent, the Glorious after Easter, and the Joyful at other times. But this arrangement is purely arbitrary, as the following decision of the Congregation of Indulgences will make clear :—

Estne libera electio mysteriorum, quae recoli debent in recitandis coronis B. V. M., aut dantur dies determinati pro tali, vel tali genere mysteriorum recolendo, ita ut tali die determinato recoli debeant mysteria gaudiosa, tali die dolorosa, tali die gloriosa ?

*Resp.* Affirmative quoad primam partem : quoad vero secundam, invaluit consuetudo, ut per gyrum cuius libet hebdomadae singula mysteria ita recolantur, nempe gaudiosa in secunda et quinta feria, dolorosa in tertia et sexta, gloriosa tandem in Domenica, feria quarta et sabbato.<sup>1</sup>

Here it is assumed that the custom is of taking the Glorious Mysteries on all Sundays irrespective of the season of the year. This decision does not refer to members of the Confraternity of the Rosary who are bound to the recitation of the entire fifteen decades, and to meditation consequently on each of them, within the week.

#### MEANING OF SOLEMN FEASTS

REV. DEAR SIR,—A certain *Ita Missa est* is directed to be sung in *Festis Solemnibus*. Will you kindly say what is a Solemn Feast in this connexion ? Would, e.g., the Feast of the Founder of a Religious Order celebrated in a Church of the Order, or of the Finding of the Holy Cross (dup. 2 classis) come under this category ? An answer will oblige.

SACERDOS.

There does not seem to be any fixed rule laid down as to the nature of the *solemnity* that entitles a feast to the *Ita Missa est* about which there is question. In his *Magister Choralis* Dr. Haberl says that the solemn form of the *Ita Missa est* should be employed on feasts that are doubles of the first class, and this direction, although not supported by any decretorial authority, would appear to be a pretty safe one to follow in practice as a general rule. There is also another custom of singing that par-

<sup>1</sup> 1 July, 1839.

ticular *Ita Missa est* which corresponds with the *Kyrie* that is rendered at the same Mass. If, then, Dr. Haberl's principle be adopted, and if the feast of the founder of a religious Order is celebrated as a double of the first class, the solemn form of the *Ita Missa est* may be employed on the occasion, but not on feasts of lower rite. Between *solemn* feasts a further classification is sometimes made into ordinary solemn and *solemniores*. The latter member of the division would embrace those feasts celebrated with unusual pomp and splendour, which belong, for the most part, to the entire or universal Church.

#### ERROR IN KALENDARIVM

REV. DEAR SIR.—Kindly say what a priest should do when there is a conflict between the directions of the *Ordo* or Kalendar, and the Rubrics—(1) When he believes that the *Ordo* is probably in error; (2) When he knows, as a fact, that it contradicts the clear rules of the Rubrics; and oblige, SACERDOS.

There are a few principles, clearly defined and universally recognized, that will help in the solution of these two questions. With regard to the first, where a priest has some doubt about the accuracy of the *Ordo* or Directory he is bound to follow it even though he thinks the opinion against is far more probable. This is clear from a question addressed to the Congregation of Rites: 'Sacerdos qui probabilius judicat errare Calendarium, tenetur ne eidem Calendario stare; an proprio inhaerere judicio quoad officium Missam et colorem paramentorum. Resp. affirmative ad primam partem; negative ad secundam.'<sup>1</sup> As long, therefore, as one is in that doubtful condition of mind that excludes certainty he should, in accordance with the conclusion to be derived from the foregoing decree, follow the Directory.

But if it is as clear as the light of day that the *Ordo* is wrong what is one to do? Evidently it should not be followed. For there is no longer in its favour the presumption that was present in the former case. The same

<sup>1</sup> N. 4031 ad v.

conclusion may be gathered from another decree of the Congregation of Rites,<sup>1</sup> which says that errors in local calendars should be corrected in harmony with the well known laws of the Rubrics. If, then, a priest comes across in the *Ordo* a direction which is clearly an oversight or inadvertence, he should not be misled by it, but should rather conform his office or Mass to the manifest prescriptions of the Rubrical laws of the Breviary or Missal. It is necessary to add, of course, that in cases of doubt regarding the Rubrics when one does his best to resolve it, he will not be held culpable if he follows here and now the *ultimum iudicium practicum* of a well regulated conscience.

#### PRAYERS IN PRIVATE REQUIEM MASSES

REV. DEAR SIR,—I am saying a private Mass *de Requiem* on the first available day after I hear of the death of a friend, and am puzzled as to whether I ought to add more than one prayer. Kindly tell me in a future issue of the I. E. RECORD what is the proper thing to do.

SACERDOS JUNIOR.

As the exact meaning of the question is not apparent the answer must be given with a distinction. If by the 'first available day' is meant the day immediately following, and if it happens to be a semidouble, then the Low Mass is privileged as regards the prayers and there may not be more than one. The reason of this privilege is that the Mass, even though a *Missa lecta*, participates in some way in the *solemnity* which is inherent in the particular day, or occasion, and which invests the Office for the Dead with a dignity of double rite. If, however, the Mass is said not on the first available day in the sense explained but after an interval, there is no privilege for a Low Mass, and it must be said as an ordinary *Missa quotidiana*. It is unnecessary to add that a *private Requiem* Mass as such enjoys no privilege as to celebration in the circumstances described. But if the occurring rite permits its celebration on a day that is privileged to a certain extent in regard to Solemn *Requiem* Masses, then the unity of prayers may be observed in the private *Requiem* Mass. P. MORRISROE.

<sup>1</sup> N. 3714 ad ii.



## DOCUMENTS

## THE DECREE 'NE TEMERE'—SOLUTION OF DIFFICULTIES

## S. CONGREGATIO CONCILII

## ROMANA ET ALIARUM

DUBIORUM CIRCA DECRETUM DE SPONSALIBUS ET MATRIMONIO <sup>1</sup>

Propositis in generali Congregatione diei 28 Martii 1908 sequentibus dubiis, nempe:

I. Utrum validum sit matrimonium contractum a catholico ritus latini cum catholico ritus orientalis, non servata forma a decreto *Ne temere* statuta.

II. An in art. X, § 2 eiusdem decreti sub nomine *acatholicorum* comprehendantur etiam schismatici et haeretici rituum orientalium.

III. Num exceptio, per Const. *Provida* in Germania inducta, censenda sit uti mere localis, aut etiam personalis.

IV. An Ordinarii et parochi nedum explicite sed etiam implicate '*invitati ac rogati*' dummodo tamen '*neque vi neque metu gravi constricti requirant excipiantque contrahentium consensum*,' valide matrimoniis assistere possint.

V. An ad licitam matrimonii celebrationem habenda sit ratio dumtaxat menstruae commorationis, aut etiam quasi-domicilii.

VI. Utrum sponsalia, praeterquam coram Ordinario aut paracho, celebrari valeant etiam coram ab alterutro delegato.

VII. Utrum sponsalia celebrari possint dumtaxat coram Ordinario vel paracho domicilii aut menstruae commorationis, an etiam coram quolibet Ordinario aut paracho.

Emi Patres, omnibus sedulo perpensis, respondendum mandant:

Ad I. *Negative.*

Ad II. *Affirmative.*

Ad III. *Exceptionem valere tantummodo pro natis in Germania ibidem matrimonio contrahentibus, facto verbo cum SSmo.*

Ad IV. *Affirmative.*

Ad V. *Affirmative ad primam partem, negative ad secundam.*

Ad VI. *Negative.*

<sup>1</sup> In fasciculo VI Iunii el. fol. 226 haec dubia retulimus, sed his resolutiones non congruerunt ob aliud dubium ad Emis. Patribus, in priori folio non contentum, adiunctum in iisdem Comitibus. Quare iterum dubia et resolutiones publicamus.

Ad VII. *Posse celebrari coram quolibet Ordinario aut parochodummodo intra limites territorii eiusdem Ordinarii vel parochi.*

Die autem 30 dicti mensis Martii SS<sup>us</sup> D<sup>ns</sup> Noster, audita relatione infrascripti Secretarii S. C. Concilii, supra relatas Emorum Patrum resolutiones ratas habuit et approbavit, quibuslibet in contrarium minime obstantibus.

✠VINCENTIUS Card. Ep. Praenest., *Praef.*  
B. POMPILI, *Secret.*

## LAWS OF THE ROMAN 'ROTA' AND APOSTOLIC 'SIGNATURA'

LEX PROPRIA SACRAE ROMANAE ROTAE ET SIGNATURAE  
APOSTOLICAE

### TITULUS I.

SACRA ROMANA ROTA.

CAP. I.—*De constitutione Sacrae Romanae Rotae.*

#### CAN. I.

§ 1. Sacra Romana Rota decem Praelatis constat a Romano Pontifice electis, qui Auditores vocantur.

§ 2. Hi sacerdotes esse debent, maturae aetatis, laurea doctorali saltem in theologia et iure canonico praediti, honestate vitae, prudentia, et iuris peritia praeclari.

§ 3. Cum aetatem septuaginta quinque annorum attigerint emeriti evadunt, et a munere iudicis cessant.

#### CAN. 2.

§ 1. Sacra Rota Collegium constituit, cui praesidet Decanus, qui primus est inter pares.

§ 2. Auditores post Decanum ordine sedent ratione antiquioris nominationis, et in pari nominatione ratione antiquioris ordinationis ad sacerdotium, et in pari nominatione et ordinatione presbyterali, ratione aetatis.

§ 3. Vacante decanatu, in officium decani ipso iure succedit qui primam sedem post decanum obtinet.

#### CAN. 3.

§ 1. Singuli Auditores, probante Rotali Collegio et accedente consensu Summi Pontificis, eligant sibi unum studii adiutorem, qui laurea doctorali iuris saltem canonici in publica universitate studiorum, vel facultate a Sancta Sede recognitis donatus sit, et religione vitaeque honestate praestet.

§ 2. Adiutor in suo munere explendo de mandato sui Auditoris agere debet, et manet in officio ad eiusdem nutum.

## CAN. 4.

§ 1. Erunt insuper in Sacra Rota promotor iustitiae pro iuris et legis tutela, et defensor sacri vinculi matrimonii, professionis religiosae et sacrae ordinationis.

§ 2. Hi sacerdotes esse debent, laurea doctorali in theologia et in iure saltem canonico insigniti, maturae aetatis, et prudentia ac iuris peritia praestantes.

§ 3. Eligentur a Summo Pontifice, proponente rotali Auditorum Collegio.

## CAN. 5.

§ 1. Constituentur etiam notarii, quot necessarii sunt pro actibus Sacrae Rotae rogandis, qui praeterea actuarii et cancellarii munere in sacro tribunali fungentur.

§ 2. Duo saltem ex his erunt sacerdotes: et in causis criminalibus clericorum vel religiosorum his dumtaxat reservatur notarii et actuarii munus.

§ 3. Omnes eligentur a Collegio Rotali ex concursu iuxta regulam pro ceteris Sanctae Sedis officiis datam: eorumque electio confirmanda erit a Summo Pontifice.

## CAN. 6.

§ 1. Unus vel duo laici maturae aetatis et probatae vitae constituentur pro custodia sedis et aulae Sacrae Rotae, qui, quoties necesse sit, cursorum et apparitorum officia praestabunt.

§ 2. Eligentur a Rotali Collegio cum suffragiorum numero absolute maiore.

## CAN. 7.

§ 1. Singuli Sacrae Rotae Auditores, post nominationem, ante quam iudicis officium suscipiant, coram universo Collegio, adstante uno ex notariis sacri tribunalis, qui actum rogabit, iusiurandum dabunt de officio rite et fideliter implendo.

§ 2. Idem iusiurandum dabunt singuli adiutores Auditorum, et tribunalis administri coram Sacrae Rotae Decano, adstante pariter uno ex notariis.

## CAN. 8.

In re criminali, in causis spiritualibus et in aliis, quando ex revelatione alicuius actus praeiudicium partibus obvenire potest, vel ab ipso tribunali secretum impositum fuit, Auditores, adiutores Auditorum et tribunalis administri tenentur ad secretum officii.

## CAN. 9.

§ 1. Auditores qui secretum violaverint, aut ex culpabili negligentia vel dolo grave litigantibus detrimentum attulerint,



tenentur de damnis: et ad instantiam partis laesae, vel etiam ex officio, Signaturae Apostolicae iudicio a SS<sup>m</sup>o Confirmato, puniri possunt.

§ 2. Tribunalis administri et adiutores Auditorum, qui similia egerint, pariter tenentur de damnis; et ad instantiam partis laesae, aut etiam ex officio, Rotalis Collegii iudicio, pro modo damni et culpa puniri possunt.

#### CAN. IO.

§ 1. Declaratio fidelitatis exemplarium cum autographo a notariis fieri potest ad instantiam cuiuslibet petentis.

§ 2. Extrahere vero documenta ex archivio, illaque petentibus communicare, notarii non possunt nisi de mandato Praesidis turni, coram quo causa agitur, si ad effectum causae documentum postuletur: de mandato Decani, si aliquid documentum ob alium finem requiratur.

#### CAN. II.

Sacra Rota, duabus formis ius dicit, aut per *turnos* trium Auditorum, aut videntibus omnibus, nisi aliter pro aliqua particulari causa Summus Pontifex statuerit sive ex se, sive ex consulto sacrae alicuius Congregationis.

#### CAN. I2.

§ 1. Turni hoc ordine procedent. Primus turnus constituitur ex tribus ultimis Auditoribus; secundus et tertius ex sex praecedentibus; quartus ex decano et duobus ultimis Auditoribus, qui denuo in turni seriem redeunt; quintus et sextus turnus ex Auditoribus sex qui praecedunt; septimus ex subdecano et decano rotali una cum ultimo Auditore, qui rursus in seriem venit; denique octavus, nonus et decimus turnus ex novem reliquis Auditoribus: et sic deinceps, servata ea vice perpetuo.

§ 2. Turni in iudicando sibi invicem succedunt iuxta ordinem temporis, quo causae delatae sunt ad Sacrae Rotae tribunal.

§ 3. Si, iudicata iam ab uno turno aliqua causa, opus sit secunda sententia, causam videt turnus qui proxime subsequitur, etsi hic aliam causam iuxta superiorem paragraphum iudicandam assumpserit. Et si opus sit tertia sententia, eodem modo turnus, qui duos praecedentes proxime subsequitur, causam videndam suscipit.

§ 4. In unoquoque turno, seu Auditorum coetu, praeses est semper Auditor cui prior locus competit.

§ 5. Si quis infirmitate aut alia iusta causa impeditus partem in iudicando in suo turno habere non possit, praevio Decani

decreto, eum supplet primus Auditor liber, non proximi quidem turni, sed alterius subsequents.

Quod si opus sit tertia rotali sententia, impeditum Auditorem supplet decimus rotalis, vel alius qui partem in tribus turnis non habet.

§ 6. Auditor ob impedimentum alterius rotalis suffectus, etsi senior, praeses turni esse non potest, quoties causa iam coepta sit, et Praeses alius constitutus.

#### CAN. 13.

Circa vacationes Rotale tribunal eiusque administri eadem utentur regula ac cetera Sanctae Sedis officia.

### CAP. II.—*De competentia Sacrae Romanae Rotae.*

#### CAN. 14.

§ 1. Sacra Rota iudicat in prima instantia causas, quas sive motu proprio, sive ad instantiam partium Romanus Pontifex ad suum tribunal avocaverit, et Sacrae Rotae commiserit; easque, si opus sit, at nisi aliter cautum sit in commissionis rescripto, iudicat quoque in secunda et in tertia instantia, ope turnorum subsequentium iuxta praescripta *can. 12.*

§ 2. Iudicat in secunda instantia, causas quae a tribunali Eñi Urbis Vicarii et ab aliis Ordinariorum tribunalibus in primo gradu diiudicatae fuerint, et ad Sanctam Sedem per appellationem legitimam deferuntur. Itemque eas iudicat, si opus sit, etiam in tertia iuxta modum in *can. 12* praescriptum.

§ 3. Iudicat denique in ultima instantia causas ab Ordinariis et ab aliis quibusvis tribunalibus in secundo vel ulteriori grado iam cognitae, quae in rem iudicatam non transierint, et per legitimam appellationem ad Sanctam Sedem deferuntur.

§ 4. Videt quoque de recursibus pro restitutione in integrum a sententiis quibusvis, quae transierint in rem iudicatam et remedium invenire non possunt apud iudicem secundae instantiae iuxta titulum *De rest. in integr.*; dummodo tamen non agatur de re iudicata ex sententia Sacrae Romanae Rotae; et in his iudicat tum de forma, tum de merito.

#### CAN. 15.

Causae maiores, sive tales sint ratione obiecti, sive ratione personarum, excluduntur ab ambitu competentiae huius tribunalis.

#### CAN. 16.

Contra dispositiones Ordinariorum, quae non sint sententiae forma iudiciali latae, non datur appellatio seu recursus ad

Sacram Rotam ; sed eorum cognitio Sacris Congregationibus reservatur.

CAN. 17.

Defectus auctoritatis Sacrae Rotae in vivendis causis, de quibus in duobus canonibus praecedentibus, est absolutus, ita ut ne obiter quidem de his cognoscere queat, et si tamen sententiam proferat, haec ipso iure sit nulla.

CAP. III.—*De modo iudicandi Sacrae Romanae Rotae.*

CAN. 18.

§ 1. Partes se ipsae possunt se sistere et iura sua dicere coram Sacra Rota.

§ 2. Si quem tamen sibi assumant advocatum, hunc eligere debent inter approbatos iuxta tit. iii. huius legis.

§ 3. Advocatus, aut qua consultor et adsistens, aut qua patronus, cui causa defendenda ex integro commissa maneat, a parte eligi potest : in utroque casu tradi ei debet mandatum in scriptis, quod exhibendum est tribunali, et servandum in actis.

§ 4. Advocatus ad adsistendum assumptus tenetur clientem instruere, prout et quatenus opus sit, de regulis et usu sacri tribunalis, opportuna consilia de modo agendi eidem praebere, et defensionem ac responsionem cum eo subsignare.

§ 5. Si partes per se ipsae etiam cum adsistente avvocato ut in § 3, defensionem suam suscipiant, uti possunt in defensionis et responsionis scriptura vernacula lingua a sacro tribunali admissa.

§ 6. In quolibet tamen casu unica semper esse debet defensionis et responsionis scriptura, hoc est aut partis aut eius patroni : numquam vero duplex, id est utriusque.

CAN. 19.

§ 1. Cum ad Sacrae Rotae protocollum pervenerit appellatio aliqua, aut commissio iudicandi aliquam causam in forma ordinaria, appellationis libellus aut litterae commissoriae ex Decani mandato transmittuntur Auditorum turno ad quem spectat iudicium in ordine et vice sua iuxta praecedentem canonem 12 ; turnus autem, assumpta causa, procedit ad eius examen iuxta ordinarias iuris normas.

§ 2. Quod si commissio iudicandi facta sit, non in forma ordinaria, sed speciali, idest videntibus quinque, vel septem, vel omnibus Auditoribus, aut dumtaxat pro voto ; Sacra Rota servare in primis debet commissionis formam iuxta tenorem



rescripti, et in reliquis iuxta regulas iuris communis et sibi proprias procedere.

## CAN. 20.

Quoties quaestio in Sacra Rota fiat circa executionem provisionis alicuius sententiae aut circa inhibitionem executionis, res inappellabili sententia a solo Praeside turni, ad quem iudicium causae in merito spectaret, est definienda.

## CAN. 21.

Praeses turni, seu Auditorum coetus, qui tribunal constituit, per se est etiam Ponens seu Relator causae. Quod si iustam habeat rationem declinandi hoc officium, auditis ceteris turni seu coetus Auditoribus, suo decreto statuet qui vice sua Ponentis munus suscipiat.

## CAN. 22.

§ 1. Si in aliqua causa opus sit instructione processus, instructio fiat iuxta receptas canonicas regulas.

§ 2. Ponens autem seu Relator non potest simul esse causae instructor, sed hoc officium a Decano debet demandari alicui Auditori alterius turni.

## CAN. 23.

§ 1. Causa coram Sacra Rota introducta et instructa, actor, vel etiam conventus, si ipsius intersit, Ponentem rogabit ut diem dicat alteri parti pro contestatione litis, seu concordatione dubiorum.

§ 2. Ponens, vel eius studii adiutor, in calce libelli diem constituet. Quod in exemplari authentico alteri parti communicari statim debet.

## CAN. 24.

§ 1. Si die assignata pro concordatione dubiorum pars in ius vocata non compareat, et legitimam excusationem absentiae dare negligat, contumax declarabitur, et dubiorum formula ac dies propositionis causae ad postulationem partis praesentis et diligentis ex officio statuetur: idque statim ex officio notum fiet alteri parti, ut, si velit, excipere possit contra dubiorum formulam, et a contumacia se purgare, constituto ad hoc a Ponente vel eius studii Adiutore congruo temporis termino.

§ 2. Si partes praesentes sint, et convenient in formula dubii atque in die propositionis causae, et Ponens vel eius Adiutor ex parte sua nil excipiendum habeant, dabitur opportunum decretum quo id constabiliatur.

§ 3. Si vero partes non convenient in formula dubii, aut in die propositionis causae: itemque si Ponens vel eius Adiutor

censeant acceptari non posse partium conclusiones, definitio controversiae reservatur iudicio totius turni; qui quaestione incidentaliter discussa decretum ad rem feret.

§ 4. Dubiorum formula utcumque statuta mutari non potest nisi ad instantiam alicuius partis, vel promotoris iustitiae, vel defensoris vinculi, audita altera parte, novo Ponentis vel turni decreto, prout fuerit vel a Ponente vel a turno statuta.

§ 5. Dies eodem modo mutari potest; sed haec mutatio fieri potest etiam ex officio, si Ponens vel turnus necessarium ducant.

#### CAN. 25.

§ 1. Sententiae, decreta et acta quaelibet contra quae expostulatio facta sit, exhibenda sunt Sacrae Rotae saltem decem dies ante litis contestationem.

§ 2. Documenta quae partes in propriae thesisi suffragium producenda habent, triginta saltem dies ante causae discussionem deponenda sunt in protocollo Sacrae Rotae, ut a iudicibus et tribunalis administris atque ab altera parte examinari possint in ipso loco protocolli, unde ea asportari non licet.

§ 3. Debent autem esse legitima forma confecta, et exhibenda sunt in forma authentica, colligata in fasciculo, cum adiecto eorum indice, ne subtrahi aut deperdi possint.

#### CAN. 26.

§ 1. Defensio typis est imprimenda: et triginta dies ante causae discussionem (*eodem nempe tempore ac documenta de quibus in can. praec. deponenda sunt in protocollo rotali*) distribuenda est duplici exemplari singulis iudicibus, notariis protocolli et archivii, itemque promotori iustitiae et vinculi defensori, si iudicio intersint. Communitari praeterea debet cum altera parte, aut partibus, ut responsioni locus hinc inde fiat.

§ 2. Defensioni adiungendum est Summarium, typis pariter impressum, in quo documenta potiora contineantur.

#### CAN. 27.

§ 1. Responsiones decem dies ante causae discussionem, idest viginti dies post distributionem defensionis, exhibendae sunt una cum novis documentis, si quae adiungenda partes habeant, servatis etiam hoc in casu regulis can. 24 et can. 25.

§ 2. Quo facto conclusum in causa reputabitur: et partibus eorumque patronis seu procuratoribus iam non licebit quidpiam adiungere aut scribere.

§ 3. Si tamen agatur de repertis novis documentis, fas semper est ea producere. Sed in eo casu pars exhibens probare tenetur se ea documenta nonnisi ad ultimum reperisse. Admissis vero his novis documentis, Ponens debet congruum tempus alteri parti

concedere ut super iisdem respondere possit. Aliter nullum erit iudicium.

§ 4. In potestate autem et officio Ponentis est documenta futilia ad moras nectendas exhibita respuere.

CAN. 28.

Spatia temporum superioribus canonibus constituta prorogari possunt a iudice ad instantiam unius partis, altera prius audita, vel etiam coarctari, si ipse iudex necessarium duxerit, consentientibus tamen partibus.

CAN. 29

§ 1. Defensionis scriptura excedere non debet viginti paginas formae typographicae ordinariae folii romani. Responsiones decem paginas.

§ 2. Si ob gravitatem, difficultatem, aut grande volumen documentorum parti vel patrono necesse sit hos limites excedere, a Ponente supplici libello id ipsi impetrabunt. Ponens autem decreto suo statuet numerum ulteriorem paginarum quem concedit, quemque praetergredi nefas est.

§ 3. Exemplar tum defensionis tum responsionis antequam edatur exhibendum est Ponenti vel eius studii adiutori, ut imprimendi atque evulgandi facultas impetretur.

§ 4. Nulla scriptura Sacrae Rotae destinata typis edi potest nisi in typographia a Collegio Sacrae Rotae approbata.

CAN. 30.

Quae dicuntur *informationes orales ad iudicem*, in Sacra Rota prohibentur: admittitur tamen moderata disputatio ad elucidationem dubiorum coram turno pro tribunali sedente, si alterutra vel utraque pars eam postulet, aut tribunal statuatur ut eadem habeatur. In ea vero hae regulae servantur:

1°. Disputatio fiat die et hora a tribunali opportune assignanda tempore intermedio inter exhibitionem responsionis et assignatam iudicio diem.

2°. Partes regulariter non admittuntur ut per se ipsae causam suam dicant coram iudicibus; sed ad id deputare debent unum ex advocatis, quem sibi ad adsistendum, aut qua patronum vel procuratorem adsciverint. In potestate tamen tribunalis est eas rationabili de causa admittere, aut advocare et iubere ut intersint.

3°. Biduo ante disputationem partes exhibere debent Adiutori Ponentis quaestionis capita cum altera parte discutienda paucis verbis, una vel altera periodo, contenta. Eaque Adiutor partibus hinc inde communicabit, una simul cum quaesitis a turni



Auditoribus praeparatis, si quae ipsi habeant, super quibus partes rogare velint.

4°. Disputatio non assumet oratoriam formam; sed sub Ponentis ductu ac moderatione circumscripta erit limitibus illustrandorum dubiorum.

5°. Adsistet unus ex notariis tribunalis ad hoc ut, si aliqua pars postulet et tribunal consentiat, possit de disceptatis, confessis aut conclusis, adnotationem ad tramitem iuris ex continenti assumere.

6°. Qui in disputatione iniurias proferat, aut reverentiam et obedientiam tribunali debitam non servet, ius ulterius loquendum amittit, et si agatur de procuratore vel avvocato, puniri pro casus gravitate potest etiam suspensione aut privatione officii.

#### CAN. 31.

§ 1. Assignata iudicio die Auditores in consilium ad secretam causae discussionem convenire debent.

§ 2. Unusquisque scripto afferet conclusiones suas seu votum cum brevibus probationibus tam in facto quam in iure. Attamen in discussione fas semper est Auditoribus a conclusionibus suis recedere, si iustum et necessarium ducant. Conclusiones autem suas singuli Auditores in actis causae deponere tenentur ad rei memoriam: secretae tamen ibi servabuntur.

§ 3. Ea demum sit sententia in qua firmiter conveniant duo saltem ex Auditoribus, aut pars absolute maior praesentium, si tribunal plus quam tribus Auditoribus constituatur.

§ 4. Si an sententiam in prima discussione devenire iudices nolint aut nequeant, differre poterunt iudicium ad primum proximum eisdem turni conventum, quem protrahi non licet ultra ebdomadam, nisi forte vacationes tribunalis intercedant.

#### CAN. 32.

§ 1. Re conclusa in Auditorum consilio, Ponens super actorum fasciculo signabit partem dispositivam sententiae, idest responsiones ad dubia: quae a notario tribunalis partibus significari poterunt, nisi tribunal censuerit solutionem suam secreto servare usque ad formalis sententiae promulgationem.

§ 2. Haec intra decem dies, aut ad summum intra triginta in causis implicationibus est peragenda; exaranda vero vel a causae Ponente vel ab alio ex Auditoribus, cui hoc munus in secreta causae discussione commissum sit.

§ 3. Eadem lingua latina est conscribenda; et rationes tam in facto quam in iure sub poena nullitatis continere debet.

§ 4. Subsignabitur a Praeside turni et ab aliis Auditoribus una cum aliquo ex notariis Sacrae Rotae.

## CAN. 33.

§ 1. Si sententia rotalis confirmatoria sit alterius sententiae sive rotalis sive alius tribunalis, habetur res iudicata, contra quam nullum datur remedium nisi per querelam nullitatis, vel per petitionem restitutionis in integrum coram supremo Apostolicae Signaturae tribunali.

§ 2. Si duplex sententia conformis non habeatur, a sententia rotali ab uno turno lata datur appellatio ad turnum proxime sequentem iuxta canonem 12, intra tempus utile dierum decem ab intimatione sententiae, ad tramitem iuris communis.

## CAN. 34.

§ 1. Si, introducta causa, actor renunciare velit instantiae, aut liti, aut causae actibus, id ei semper licebit. Sed renunciatio debet esse absoluta nullique conditioni subiecta, subsignata cum loco et die a renunciante, vel ab eius procuratore speciali tamen mandato munito, ab altera parte acceptata aut saltem non oppugnata, et a iudice deinde admissa.

§ 2. Renuncians tamen tenetur hisce in casibus ad omnia consecretaria, quae ex his renunciationibus profluunt ad tramitem iuris communis.

## TITULUS II.

## SIGNATURA APOSTOLICA

CAP. I.—*De constitutione et competentia Signaturae Apostolicae.*

## CAN. 35.

§ 1. Supremum Apostolicae Signaturae tribunal constat sex S. R. E. Cardinalibus, a Summo Pontifice electis, quorum unus, ab eodem Pontifice designatus, Praefecti munere fungetur.

§ 2. Eique dabitur a Romano Pontifice adiutor, seu a Secretis, qui iuxta regulas eiusdem Signaturae proprias, sub ductu Cardinalis Praefecti, omnia praestabit quae ad propositae causae instructionem eiusque expeditionem necessaria sunt.

## CAN. 36.

§ 1. Praeter Secretarium erit etiam in Apostolica Signatura unus saltem notarius conficiendis actibus, conservando archivio, et adiuvando Secretario in iis quae ob eo ipsi committuntur: habebitur quoque custos conclavium eiusdem Signaturae: prior sacerdos, alter laicus.

§ 2. Erunt etiam aliquot Consultores, a Summo Pontifice eligendi, quibus poterit examen alicuius quaestionis pro voto ferendo committi.

§ 3. Quae ad nominationem, iusiurandum, obligationem secreti ac disciplinam pertinent, et pro administris, Sacrae Rotae constituta sunt, servantur quoque, cum proportionem, pro Apostolicae Signaturae administris.

## CAN. 37.

Supremum Apostolicae Signaturae tribunal videt tamquam sibi propria ac praecipua,

1°. de exceptione suspicionis contra aliquem Auditorem, ob quam ipse recusetur ;

2°. de violatione secreti, ac de damnis ab Auditoribus illatis, eo quod actum nullum vel iniustum in iudicando posuerint, iuxta can. 9 ;

3°. de querela nullitatis contra sententiam rotalem ;

4°. de expostulatione pro restitutione in integrum adversus rotalem sententiam quae in rem iudicatam transierit.

CAP. II.—*De modo iudicandi Apostolicae Signaturae.*

## CAN. 38.

Ad postulandam restitutionem in integrum et ad introducendum iudicium nullitatis contra sententiam rotalem dantur tres menses utiles a reperto documento aut a cognita causa, ob quam ad haec remedia recursus fieri potest.

## CAN. 39.

§ 1. Expostulatio ad Signaturam pro restitutione in integrum non suspendit rei iudicatae executionem.

§ 2. Nihilominus ad instantiam partis recurrentis Signatura potest, incidentaliter sententia, inhibitionem executionis iubere, aut obligare partem vitricem ad congruam cautionem praestandam pro restitutione in integrum.

## CAN. 40.

§ 1. Libellus, quo causa introducitur, exhibendus est Secretario Signaturae Apostolicae.

§ 2. Cardinalis autem Praefectus, una cum Secretario, accepta instantia, examinare debet, utrum fundamentum aliquod boni iuris habeat: quod si desit, instantiam ipsam quamprimum reicere ; sin vero habeatur, tenetur admittere.

## CAN. 41.

§ 1. In causa criminali, de qua sub num. 2 canonis 37,<sup>r</sup> regulae processuales servantur, quae pro causis criminalibus a iure canonico statuuntur.



§ 2. In aliis iudiciis, de quibus in num. 1, 3 et 4, can. 37, Signatura procedere potest sola rei veritate inspecta, citata tamen semper parte adversa, vel conventa, vel cuius intersit, et praefixopartibus congruo peremptorio termino ad iura sua deducenda.

§ 3. Et in primo ex memorati iudicii casibus Apostolica Signatura inappellabili sententia definit utrum, at non, sit locus recusationi Auditoris. Quo facto, iudicium ad Sacram Rotam remittit, ut iuxta suas regulas ordinarias procedat, admissio in suo turno, vel non, Auditore contra quem exceptio sublevata fuit, iuxta Signaturae sententiam.

In tertio casu de hoc tantum iudicat, sitne nulla rotalis sententia, et sitne locus eius circumscriptioni.

In quarto casu Apostolica Signatura, inappellabili sententia definit utrum, necne, locus sit restitutioni in integrum. Qua concessa, rem remittit ad Sacram Rotam, ut, videntibus omnibus, de merito iudicet.

#### CAN. 42.

Cardinalis Praefectus, itemque Signaturae tribunal, si expedire reputent, convocare possunt Promotorem iustitiae et Defensorem vinculi penes Sacram Rotam, et ab eis votum exigere, vel etiam petere ut de actibus rotalibus, quae impugnantur, rationes explicent.

#### CAN. 43.

In reliquis, quae necessaria sunt ad iudicii expeditionem, et non sunt in praecedentibus canonibus cauta, servari in primis debent, congrua congruis referendo, regulae pro Sacra Rota statutae, et deinde normae iuris communis.

### TITULUS III.

#### DE ADVOCATIS PENES SACRAM ROTAM

#### ET APOSTOLICAM SIGNATURAM

#### CAN. 44.

§ 1. Advocati proprii ac nativi Sacrae Rotae et Signaturae Apostolicae sunt Advocati consistoriales.

§ 2. Admittuntur tamen et alii sive sacerdotes sive laici, qui laurea doctorali saltem in canonico iure instructi, post triennale tyrocinium vel qua adiutores penes aliquem ex Auditoribus, vel penes aliquem ex advocatis rotalibus, facto experimento coram

Rotali Collegio, ab eodem idonei reperti sint, diploma advocatorum acceperint, a Sacrae Rotae Decano et ab uno ex notariis subsignatum, ac iusiurandum coram Rotali Collegio dederint de munere ex conscientia implendo.

## CAN. 45.

§ 1. Advocati in causis coram Sacra Rota et Signatura Apostolica agendis tenentur servare tum communes leges canonicas tum regulas horum tribunalium proprias; et in scripturis pro defensione exarandis lingua latina uti debent.

§ 2. Tenentur insuper de mandato Decani Sacrae Rotae aut Cardinalis Praefecti Signaturae Apostolicae gratuitum patrocinium aut gratuitam adsistentiam praebere iis, quibus Sacra Rota aut Signatura Apostolica hoc beneficium concesserit.

§ 3. Nefas eisdem est emere litem, aut de extraordinario emolumento vel immodica rei litigiosae parte sibi vindicanda pacisci. Quae si fecerint, praeter nullitatem pactionis, a Sacra Rota congrua poena multari possunt, iuxta sequentem canonem.

## CAN. 46.

Collegium advocatorum consistorialium fungetur munere collegii disciplinae pro continendis in officio advocatis: qui, ex voto eiusdem Collegii, a Sacra Rota reprehensionis nota inuri, poena pecuniaria multari, suspendi, vel etiam ex albo advocatorum expungi poterunt.

## APPENDIX

## DE TAXATIONE EXPENSARUM IUDICIALIUM

CAP. I.—*De proventibus quae ad aerarium Sanctae Sedis spectant.*

1. Acta quaelibet iudicialia in causis tum contentiosis tum criminalibus exarari debent in foliis sigillum Sedis Apostolicae referentibus, excepta prima instantia, et exceptis quoque foliis typis edendis, de quibus in can. 25 et 26. Folia quatuor paginis constant et paginae triginta lineis.

Pretium uniuscuiusque folii coram Sacra Rota adhibendi est, lib. 1; coram Signatura Apostolica, lib. 2.

2. In eodem folio cumulari nequeunt acta diversa, quamvis ad eandem causam spectantia.

3. Quoties documenta in protocollo Sacrae Rotae exhibentur sive plura sint, sive pauciora, singulis vicibus pendenda est lib. 1.

4. Pro actu quo declaratur concordare exemplar alicuius documenti cum autographo, ad singula folia, lib. 0.50.

5. Pro peritiis, si requirantur, et pro examine testium, si habendum sit, a requirente peritiam vel probationem per testes deponenda est penes officialem rotalem, pecuniae custodem, summa ab Adiutore Praesidis tribunalis taxanda, quae ab eo censeatur sufficiens ad expensas peritiae vel examinis testium solvendas.

6. In taxanda hac summa Adiutor aestimare debet, iuxta civilem Urbis usum, quid requiratur ad retribuendam peritorum operam, si de ipsa agatur, vel ad indemnitate[m] testibus praestandam, tum ob itineris expensas, tum ob cessatum lucrum ex interruptione laboris, si de examine testium res sit. Praeterea tribunalis iura iuxta communes normas ei prae oculis habenda sunt.

7. Ad occurrendum expensis iudicialibus universe sumptis deponenda est in arca nummaria Sacrae Rotae pro prudenti Ponentis arbitrio pecuniae summa a 100 ad 500 libellas.

8. Proventus universi huc usque recensiti ad aerarium Sanctae Sedis spectant, et ad illud singulis mensibus transmitti debent iuxta regulam pro aliis Sanctae Sedis officiis assignatam.

CAP. II.—*De proventibus qui cedunt in retributionem operis a singulis praestitae.*

1. Pro versione alicuius actus a lingua non in usu penes Romanam Curiam in aliam usu receptam, retributio pro singulis foliis, lib. 1.50.

2. Pro examinanda versione, et pro declaratione facienda a perito de eius fidelitate, ad singula folia, lib. 0.50.

3. Pro simplici transcriptione, ad singulas paginas, lib. 0.25.

4. Pro extrahendis ex archivio documentis vel fasciculo (*posizione*) alicuius causae, tabularius ministerium suum gratuito debet praestare, si agatur de re ultimis decem annis acta; si de antiquiori, ius habet ad lib. 5.

CAP. III.—*De advocatorum et procuratorum proventibus.*

1. Pro qualibet instantia exarata, lib. 5.

2. Pro concordatione dubiorum, ad singula dubia, lib. 5.

3. Pro interventu in examine testium in qualibet sessione, lib. 5.

4. Pro adsistentia examini, vel iuramento parti delato, lib. 5.

5. Pro congressibus cum cliente et cum aliis personis ad effectum causae, iuxta numerum et simul sumptis, a lib. 10 ad 100.

6. Pro accessibus ad tribunal, a lib. 5 ad 50.

7. Pro disputatione coram tribunali ad normam can. 30, a lib. 10 ad 25.

8. Pro examine omnium documentorum, a lib. 50 ad 100.



9. Pro eorum ordinatione et summarii compositione, a lib. 50 ad 100.

10. Pro exaranda defensione, a lib. 200 ad 1000.

11. Pro responsione, a lib. 100 ad 200.

12. Pro simplici adsistentia ad normam can. 18, a lib. 100 ad 200.

13. Harum omnium taxarum motio, seu *liquatio*, facienda est ad tramitem communis iuris a Praeside tribunalis.

CAP. IV.—*De exemptione a iudicialibus expensis et gratuito patrocinio.*

1. Pauperibus ius est exemptionis ab expensis iudicialibus, et gratuiti patrocinii, iuxta praescripta superius can. 45, § 2.

2. Qui pauperes absolute dici non possunt, sed ob arctam suam conditionem ordinariis expensis ferendis pares non sunt, ad earum reductionem ius habent.

3. Qui exemptionem ab expensis vel earum reductionem assequi velit, eam postulare debet, dato supplici libello Praesidi turni vel Auditorum coetus, qui causam iudicandam habet, adductisque documentis quibus conditionem suam comprobet. Praeterea, nisi agatur de iudicio a SSmo commissio, demonstrare debet se non futilem neque temerariam causam agere.

4. Praeses turni postulationem ne admittat, nisi auditis, praeter partem postulantem, parte adversa, promotore iustitiae ac decano advocatorum consistorialium, requisitisque, si opus sit, notitiis etiam secretis super statu oeconomico postulantis.

5. Contra decretum Praesidis negantis exemptionem ab expensis vel earum reductionem, potest, intra utile tempus decem dierum, expostulatio fieri pro recognitione iudicii ad turnum, vel Auditorum coetum, cui causa iudicanda est.

6. Qui exemptionem ab expensis et gratuitum patrocinium concedit, simul debet unum ex advocatis designare, qui pauperis patrocinium vel adsistentiam suscipiat ad normam can. 45, § 2.

7. Si vero decreta tantum fuerit expensarum reductio, qui huiusmodi decretum tulit, debet simul normas saltem generales statuere intra quas reductio sit circumscribenda.

CAP. V.—*De expensis in iudiciis coram Signatura Apostolica.*

Eadem Regula, congrua congruis referendo, servetur ac pro iudiciis coram S. Rota.

Datum Romae, die 29 Iunii 1908.

*De mandato speciali SSmi. D. N. Pii Papae X.*

R. Card. MERRY DEL VAL.

## NOTICES OF BOOKS

HISTORY OF ST. VINCENT DE PAUL. By Monseigneur Bougaud, Bishop of Laval. Translated by Rev. Joseph Brady, C.M. London: Longmans, Green & Co. Price 4s. 6d. net.

A WIDE circle of readers will be grateful to the enterprising firm of Longmans, Green & Co. for bringing out in cheap and popular form Father Brady's translation of Bougaud's celebrated *Life of St. Vincent de Paul*. Even in its English dress the work had already been familiar to, and appreciated by, the public. But a rather prohibitive price debarred persons of slender resources from the pleasure and profit of making its acquaintance. This obstacle no longer exists, and many people will now undoubtedly hasten to read the Life of the great Saint whose reforming zeal has had such an influence for good upon his own and succeeding generations, and whose name has become a synonym for Christian charity and philanthropy of the highest order. The work of social reform is still with us, and those engaged in it will find much light and leading from these pages. Of the merits of the book as a biography there is no need to speak, for Abbé Bougaud is recognized to be one of the foremost hagiographers of his age, while the translator has earned unstinted praise for the able and graceful manner he has executed the task.

CATECHISM ON MODERNISM. From the French of Father J. B. Lemius, Oblate of Mary Immaculate. By Father John Fitzpatrick, of the Same Congregation. London: R. & T. Washbourne. 6d. net.

THIS is a useful and valuable little book; for it puts in popular form the chief doctrines of Modernism, and replies to them step by step. The replies are clear and to the point, being for the most part given in the very words of the Encyclical of Pope Pius X.

We meet with many people asking what is Modernism, and why it is condemned. Some worthy people seem to think that its condemnation implies a denunciation of all modern science, progress, and civilization. How far this is from being the case can be discovered by the perusal of this little book. It is not

modern science that is troubling many of the gentlemen engaged in the propagation of what is called 'Modernism,' but ancient science. The school dates back to a certain garden where its principles were first taught by a wily reptile to the great misfortune of the human race. Father Fitzpatrick has done well to put this little volume into English. It will be found very useful by missionary priests, and may be read with profit by anyone interested in the subject.

J. F. H.

HOME FOR GOOD. By Mother Mary Loyola of the Bar Convent, York. Edited by Father Thurston, S.J. London: Burns and Oates, Ltd. Price 3s. 6d. net.

If there were nothing else to recommend this volume than the name of the distinguished editor on the title page, the public would have a guarantee and security that it is a book worth reading at all events. But there is more. Under cover of a number of short stories, anecdotes and historical sketches the authoress aims at conveying some solid instructions and practical lessons that will be helpful for the guidance of young girls when they have just exchanged the school-room for the quiet and monotony of the parental home. This is a critical time in the lives of such persons. It is during these days they will have to solve the all-important questions, 'What am I going to be? How am I to fit myself to discharge the responsibilities and bear the burthens of life? How must I mould and shape my character so that I may best attain the end of my existence?' Mother Loyola, who seems to have had a good deal of experience in the training of girls and in the formation of their character, places before us in these chapters some excellent counsels, maxims and ideals that will prove most useful in leading to a happy solution of the problems that present themselves to many feminine minds on the morning of life's battle.

WE PREACH CHRIST CRUCIFIED. By the Rev. Herbert Lucas, S.J. London and Edinburgh: Sands & Co. 328 pp.

THIS book of sermons was mainly written for boys, but its author expects that it may be of use to others. His expectation deserves to be fulfilled, for in matters religious we are all smaller than even boys—we are, or ought to be, little children. The most striking merit of the book is the author's



continued use of simile, illustration and parable. The Germans are adepts in this method, which is but to continue in the line of the Master Himself. We do not mean that the preacher should confine himself—nor has Father Lucas confined himself—to the parables of the Gospel, some of which were accommodated to a civilization that is no more. If the Master were amongst us to-day, we venture to suggest with all reverence that He would draw His illustrations and parables from the usages and machinery of the twentieth century. Father Lucas gives a luminous explanation of the parable of the great feast when he speaks of an exhilarating motor trip as a likely excuse for being absent from Christ's banquet. If a priest wants to be initiated into this noble art of parable-making, let him procure Father Lucas's book of sermons. We draw attention, too, to one of his illustrations. The constant vigilance required that the spirit overcomes matter is compared to the watchfulness which the great Empire must show towards her barbarous possessions as, for example, India. Like the bad passions, like soulless matter, like the flesh, India shows sometimes fight in savage fashion. Although India possessed her intellectual Veda literature when Britons painted themselves with the ancient substitute for rouge, she is now, unhappily, mere matter. Although England cannot sometimes help the Indians dying of famine, although in the words of a dear son she conducted a recent war according to methods of barbarism, she is in the main all soul and spirit.

To sum up, the chief qualities of Father Lucas's book are its sincerity, its quiet humour, its accommodatedness. He lays bare his own mind, and it is worth something. Reading his book you could feel his genial, good-humoured personality. His sermons are wonderfully accommodated to his audience and to the twentieth century, and we heartily recommend them.

G. P.

HEORTOLOGIE. By Dr. Heinrich Kellner. Herder. 1906.

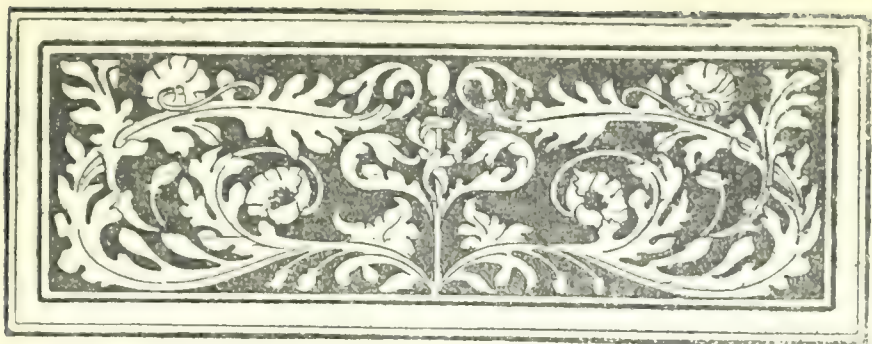
THERE has been of late years a notable increase and diffusion of knowledge regarding all that constitutes the history of liturgy. The origin of rites and ceremonies, the causes that determined the gradual formation of both the Breviary and Missal, as well the nature of a host of minor or subsidiary subjects, have been investigated with unwearied patience and skill. The great progress in this department of ecclesiastical

history, noticeable even since the days of Gueranger and Probst, is evidently due in no small measure to division of labour. Some writers of the earlier period took a general view of the subject, but indispensable and even useful though such a *coup d'oeil* may be as a starting point, in the course of time and by virtue of the very development of study monographs became necessary. The field of liturgy is too extensive, and the questions contained in it are far too numerous and too complicated for adequate treatment at the hands of any individual.

Dr. Kellner has, therefore, wisely confined himself to the origin and nature of the feasts in the ecclesiastical year. And surely this theme is sufficient for anyone. It is treated of with remarkable erudition and competence, so that every reader will mentally congratulate the learned professor in the University of Bonn on the selection he made. Naturally he has divided his volume into two parts; of which one treats *De Tempore*, and the other *De Sanctis*. The first of these is subdivided into large sections on the Easter and Christmas cycles respectively, and a small one on the Rogation Days, etc. Here the critical investigation of the early Roman processions and then of those introduced by St. Mamertus of Vienne is of especial value. The second section, which deals as we said with the feasts of saints, contains a great amount of lore about the three most ancient feasts of the Blessed Virgin, (Nativity Annunciation, Assumption), a most interesting account of the Feast of her Immaculate Conception which should be read by all ecclesiastics, the history of the feasts of Apostles, of St. Mary Magdalen, etc., etc. These are followed by a third section, or appendix, on the sources from which all this has been derived. It would be hard to find elsewhere as good a conspectus of the literature as is contained in this small compass. Here the student of liturgy will get what may be called his *guide-book*. There are exceedingly useful essays on the value of the Typika, the ancient calendars, the martyrologies, various inscriptions, etc. Perhaps the most instructive chapter is the one on the *Martyrologium Hierosolymitanum*. It shows clearly what Duchesne has done.

Besides attending to the wants of students, the learned author has kept in mind what is desired by a much larger class. He writes not only for those who intend to become specialists in this branch of ecclesiology, but for all those who would fain acquire such knowledge of the Church's year as will make them educated Catholics. And it must be said that he has hit the mark.

R. W.



## THE CHURCH AND THE BIBLE

**T**HE Church, like her Divine Founder, is 'set up for a sign to be contradicted.' Opposition and calumny and persecution are so far from being marks of Divine displeasure in her regard, that they must be taken rather as one of the most evident if not necessary signs of His lasting, life-giving, all-pervading presence within her. For this opposition of the world and its devotees was foretold to her in the person of her Apostles by God Himself, when He said to them: 'The servant is not greater than his lord. If they have persecuted Me, they will persecute you also.'<sup>1</sup>

Her history furnishes only too many proofs of the fulfilment of this prediction. It is indeed true that, to a large extent, the age of relentless persecutions is past, during which the arenas of Rome were reddened with the blood of her martyrs. But other forms of opposition and oppression have followed closely on the heels of persecution. Unbridled and unwearied calumny stepped in, in the vain hope of succeeding, where the envenomed might of emperors was shattered; where the treason of the faithless children failed.

It has been well and truly said that 'history for the last three hundred years is a conspiracy against the truth.' It might be asserted with equal truth and greater force that history for five hundred years and more is a libel on

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<sup>1</sup> John xv. 20.



the Catholic Church. Falsehood after falsehood, calumny after calumny, have been heaped up against her; and so often repeated, that many, who had neither the time nor the talents to make a personal enquiry accepted the charges with unquestioning faith. Though many of these calumnies have been proved not to have had one particle of foundation; though they originated with men in whom 'the wish was father to the thought;' though opponents who loved truth more than inglorious triumph have freely admitted the falsehood and the injustice, they are still repeated *ad nauseam* by men who live by reviling the Church, who know that it is easier to appeal with success to the passions and the prejudices of worldlings to instil into their minds hatred for a Church their fathers disowned, or of a religion of which they were forcibly and unjustly robbed, than to satisfy their reason of the truths and the claims of a Church they have espoused. They abandon the narrow and difficult road, which Sacred Scripture commends, to take up the easier but more devious paths by following the lines of least resistance.

They know it is easier to pull down than to build up. The spectacle of the Catholic Church, full of life and energy, like a ship sailing triumphantly despite the storm, steering clear of the breakers and quicksands of doubt and infidelity many centuries after they declared her to be sinking; while they and their followers 'are driven about by every wind of doctrine,'<sup>1</sup> with no pilot on whom they can rely; this spectacle, instead of inspiring them with the natural desire to return to her bosom for safe protection, only rouses them to revile her.

And hence it is that we see, day after day, and year after year, through the long ages, the Church attacked on all sides, with more vigour than truth, with more passion than charity. False charges, oftentimes refuted are as often repeated; sometimes in a new garb, often without change. 'Like the leopard they may change their spots but not their nature.'

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<sup>1</sup> 1 Eph. iv. 14.

These calumnies are almost legion. For calumny dies hard. But, there is one which, if not the most dangerous, is, perhaps, the one repeated with the most long-continued and brazen persistency. And it is this: 'That the Catholic Church is the enemy of the Bible, because she feels that its teachings are inimical to her tenets, and that an intimate acquaintance with the sacred volumes on the part of her subjects, would open their eyes to her hypocrisy, and put an end to her blighting existence.' Even the more candid amongst them, who would not knowingly be guilty of wilful calumny themselves, take it for granted that the charge must be true because it is so often repeated.

Starting with the principle, that the 'Bible is the sole rule of Faith,' even the latter do not hesitate to accuse the Church of 'soul-destroying tyranny and conscious imposture shrinking from detection.' If the charge were well founded and the principle correct, the condemnation though severe would be well-merited. For the conclusion follows, as a matter of course, from these premises. But Catholics, as is well known, contradict the principle. They assert, and with good reason, that the Bible is not the sole rule of Faith; that it is largely supplemented and explained by tradition. And the practice and teaching of Protestants themselves is sufficient to negative the contrary opinion. For they hold more than one doctrine and adopt at least one practice as essential, about which Sacred Scripture is as silent as the tomb.<sup>1</sup> So that, even were it proved conclusively that 'the Church sedulously kept the Bible out of the hands of the laity,' the conclusion would still be unwarranted, because one of the premises on which it rested was untrue.

We shall now proceed to examine how much of the charge itself is true. And we shall find that an impartial inquiry,—no matter how searching,—into the action of the Church, instead of bearing out the grave charge made against her on this head, will prove rather that she alone

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<sup>1</sup> Inspiration of New Testament, Baptism of Infants, Validity of Baptism by heretics, Divine origin of the Episcopacy, etc.

acted with that wisdom which comes of Divine guidance, and with that prudent charity which exercises temporary restraint, where, owing to the peculiar circumstances of the case and the temper of the times, the free exercise of liberty would degenerate into unbridled licence, fatal to the best interests of the immortal souls entrusted to her guardianship.

If the Church wished to keep the laity in ignorance of the Bible, no task could have been more easy. She had only to leave the Sacred Text in the original. The very fact of doing so would have made it a sealed book for them. Few, if any, except her clergy, were acquainted with the language in which the Bible was originally written. If she wished to carry out that purpose more effectually, especially with regard to the New Testament, which is admitted on all sides to be the most important part of Sacred Scripture, she could have destroyed it, or kept it altogether out of their hands. In doing so, she would have most effectually accomplished the end which her accusers ascribe to her as motives for prohibiting its use. She would thereby have furthered her exclusive claim to the Divine commission, 'Go and teach all nations,' and left no rival to dispute the authority she claims for Apostolic tradition as being of equal weight with the written Word of God.

But she did none of these things. On the contrary she multiplied copies of the Scriptures unceasingly. And pious and learned men, not only with her approval, but invariably at her express command, spent their lives engaged in the laborious task of transcribing line after line, page after page, and book after book of these sacred volumes. It was to these 'lazy monks' a labour of love. When one died at the work, another was ready to step in and take his place. Such was their respect for God's Word that they were not content with merely transcribing it with the utmost care and un murmuring patience, but they adorned it with tracings of inimitable delicacy.

With all our modern conveniences, we can scarcely imagine, much less fully realize, the amount of labour such work entailed. It would take an expert penman nearly



a whole year of constant daily labour to transcribe a complete copy of the Bible. Yet some of these men transcribed as many as twenty or two dozen copies. And these are the men whom the modern world, equally regardless of historical truth and the first elements of gratitude, do not hesitate to brand as 'lazy drones,' and 'ignorant idlers.'

It will help to give us some idea of the number of copies these men gave to the world, if we reflect that from the very earliest ages, the Bible, especially the New Testament, was quoted very largely by ecclesiastical writers. So much was this the case, that it has been frequently said, that if the New Testament were lost, it could be put together again, verse by verse, from the quotations contained in the works of the 180 ecclesiastical writers who flourished before the end of the fifth century.

The same thing is true of the Middle Ages, when the Church was in the zenith of her power. With regard to that period I shall quote the words of a candid Protestant, the Rev. E. Cutts, D.D., who says :—

There is a good deal of misapprehension about the way in which the Bible was regarded in the Middle Ages. Some people think it was very little read even by the clergy. Whereas, the fact is, that the sermons of the medieval preachers are more full of scriptural quotations and allusions than any sermons in these days. And the writers on other subjects are so full of Scriptural allusion that it is evident their minds were saturated with Scriptural diction.

The same writer disposes of the calumny that 'the clergy kept it in an unknown language that the laity might not be able to read it,' by remarking, as we shall note more fully later on, 'the truth is that most people who could read at all could read Latin, and would certainly prefer to read the Authorized Vulgate than any vernacular version.' And he adds, 'notwithstanding this, translations into the vernacular were made,' with the sanction of the Roman authorities. And these statements are amply borne out by testimony from such an unsuspected source as the *Quarterly Review*, October, 1879, where we read : 'The notion that people in the Middle Ages did not read

the Bible, is probably exploded, except among ignorant controversialists. The notion is not simply a mistake . . . it is one of the most ludicrous and grotesque of blunders.'

With these facts, supported in nearly every instance by word for word statements from Protestant writers, we might safely leave it to lovers of truth to pass judgment on the statement that 'wherever Rome holds sway, she has sedulously kept the Bible from the laity.' Even Dr. Littledale's plea (which at best is but a shabby attempt at poisoning the wells) 'that where the good of the Church requires it you cannot safely give any credence to the statements of Roman controversialists,'<sup>1</sup> would not, even if true, have any force here.

We shall now proceed to point out exactly the action of the Church in this matter. We shall see for ourselves how far she has interfered with its free use. And we shall at the same time examine the reasons that justified her action in temporarily withholding or restricting its use. There is no trace of the Church ever having forbidden the use of the Bible in the original. As the contrary has not, so far as I know, been asserted, and as, furthermore, it does not come within the scope of this essay, we shall dismiss it without further notice.

From a very early age, starting from the time of the Apostles, single books of the Sacred Scriptures began to be translated into the vernacular. The Church gave every encouragement to persons who were competent to do so. Such persons were in nearly all cases ecclesiastics. From the necessity of the case only small portions could at first be so translated. As a matter of fact it was only after the lapse of some considerable time that the existence of some of the books now forming part of canonical Scripture received the approbation of the Church at all. As soon as the Sacred Books were collected, and the Canon of the Bible practically formed in the fourth century, the very first thing Pope Damasus did was to commission St. Jerome a priest of the Roman Catholic Church, to prepare a Latin

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<sup>1</sup> *Plain Reasons*, p. 100. Cf. Ryder's *Catholic Controversy*, ninth edition, Introduction, p. xiv.

translation of the Bible. He was a learned Oriental scholar, and devoted the greater part of his life to the task. The results of his herculean labours appeared in the Latin edition of the Bible commonly called the Vulgate. As has just been stated, this work was undertaken and carried out by a 'Romish' priest, at the express command of the 'Pope of Rome,' and that because 'the other existing versions were not sufficiently accurate.' It has always been looked upon by the Church as a work of superior merit. And it has received such signal approval that in the minds of most Protestants it is synonymous with Popery.

This was before the fall of the Roman Empire. At that time Rome was the centre of civilization. And the Latin language was the vernacular not only of Italy, but practically of the greater part of Europe. So that the action of Pope Damasus and the labours of St. Jerome opened its pages to the people of almost every country that had come under the influence of Roman civilization.

All things human are transitory. And as time passed on Rome fell under the sway of Northern barbarians. The Latin language, which was hers, died with her, at least as a spoken language. It survived only in the liturgy of the Church and in her schools. For a time, owing to the influence of the conquerors, the language became unsettled, not only in Italy, but all over Europe, with the result that the work of translation ceased. No sooner, however, did the new tongues become stable than the activity of the Church again became apparent in the many versions that sprang up almost simultaneously all over Europe.

In England, St. Bede in the eighth century translated portions of the Bible into Anglo-Saxon, which was then the language of the country. He is said to have died while translating the last verse of St. John's Gospel. Before his time Caedmon had given poetic paraphrases of some of the Psalms. In the reign of King Alfred the whole of the new Testament was translated into the vernacular: King Alfred himself shared in the good work.<sup>1</sup>

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<sup>1</sup> Gigot, *General Introduction to Sacred Scriptures*, p. 341.



The Norman Conquest soon followed. The language again became unsettled. This explains why the work of translation was at a stand-still till the thirteenth century. Then the language again took a fixed form, and the whole Bible was translated into the vernacular. This work was all done by the 'Romish' Church; there was then no other.<sup>1</sup> Sir Thomas More informs us that 'the whole Bible was before Wycliffe's days by virtuous and well-learned men translated into the English tongue, and by good and godly people, with devotion and soberness, well and reverently read.' And he adds (the calumny is evidently as old as his time): 'The clergy keep no Bibles from the people, but such translations as be either not yet approved or reproved for nought (bad) as Wycliffe's was.'<sup>2</sup>

From these facts it is quite evident that, as far as England, at least, was concerned, the authorities of the Catholic Church were not animated with the desire to keep the Bible from the laity. We shall see that the statement is equally devoid of truth with regard to the other European countries.

Up to the middle of the twelfth century, there were numerous portions of the Sacred Text, especially the New Testament, translated into the French language. That the Bible found its way into the hands of the laity, at, if not before this time, is abundantly proved by the fact that the French Bishops complained of abuses regarding it, and finally met in Council of Toulouse, in 1229, to consider the best measures to adopt to prevent such abuses. At this Council they passed prohibitive measures to restrain the Waldenses and other heretics who had changed or mutilated the Sacred Books, or perverted their meaning, in order to give the sanction of its authority to their political opinions, and their attacks on lawful authority, which were utterly subversive of order and morality. In 1250 a complete edition was brought out under the patronage of Louis IX, who was later canonized by this 'Romish' Church as St. Louis of France. This was followed by

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<sup>1</sup> *The Catholic Church*, by a Convert, p. 55.

<sup>2</sup> *Ibid.*

another complete edition under Charles V, who died in 1580.

The first complete Spanish edition made its appearance under Alphonsus V, in 1270. Another complete printed edition was brought out in 1478 by Bombaz Ferrer, the brother of St. Vincent Ferrer. One of these editions was undertaken and carried through by the express permission of the much-abused Inquisition.

The first complete version in German appeared in 1462. Twenty other versions saw the light before 1520. From this it will be seen what little foundation there is for the cry so systematically, so persistently, and so triumphantly made by English preachers and controversialists, especially of the 'Protestant Alliance' type, that it was Luther first made it possible for his countrymen to become acquainted with the Bible; that it remained for the 'Reformers' to give the bread of life to those who hungered for God's Word. The *Church Times* (July 26, 1878), speaking of the Caxton Exhibition, held the year before, makes the following statement bearing on the question at issue. As it is an organ rabidly anti-Catholic in tone, its testimony on that account will be freely admitted as impartial. Here is what it says:—

This catalogue of Bibles will be useful for one thing at any rate, as disproving the popular lie about Luther finding the Bible for the first time at Erfurt, in 1507. Not only are there very many editions of the Latin Vulgate (i.e. the Bible in Latin, the very thing Luther is said to have discovered), but there are actually nine German editions of the Bible in the Caxton Exhibition, earlier than 1483, the year of Luther's birth, and at least three more before the end of the century.

Before Luther's pretended discovery there were over 100 editions of the Vulgate, of 1,000 copies each, although printing with movable type dated only from 1441; and twenty-seven editions in German before his edition saw the light.

It is the same story all over Europe. Danes, Swedes, and Norwegians had the Bible in the vernacular. Even as early as the ninth century, SS. Cyril and Methodius

had not only preached the faith to the Slavs, but had given them a complete translation of the Bible.

In Italy, the home of 'Romish superstition,' and soul-destroying tyranny, a complete edition of the Bible in Italian was brought out by the Archbishop of Genoa in 1298. Malermi brought out another at Venice in 1471. The latter passed through nine editions before 1500. Yet an Anglican clergyman named Seymour had the hardihood to say, in 1850, that he searched in vain all over Rome for a copy of the Bible. It is more than probable he could not get a copy of his Bible. It is quite possible, too, that his efforts would now meet the same success in countries that his fellow-Evangelists have been trying to convert for years by the safe and easy methods of scattering Bibles by the thousand amongst them. The incident suggested the facetious remark of a witty judge to a lawyer of the same name who was more loquacious than learned, and who protested against his name being pronounced as if spelled with an *a* instead of an *e*, 'that it would be much more to the advantage of his clients if he would only *see* more and *say* less.' His statement, nevertheless, has been repeated with approval all over England as damning evidence against the Catholic Church, by members of the Protestant Alliance and men of that ilk.

The charge of late has somewhat changed its nature. Truth remains ever the same. Error must necessarily vary. It is asserted that though 'Rome' was shamed into giving the people the Word of God, she still practically keeps it a sealed book by prohibiting its use except to the favoured few. This calumny is all the more damaging as it has in it the germs of truth. It is true, that at times, the Church has made stringent but salutary regulations with regard to the reading of Sacred Scripture in the vernacular. But she never wished to keep the people in ignorance of its true teachings. On the contrary, for twelve hundred years, all her influence was exerted in favour of a more general diffusion of it, and a greater familiarity with its text both by clergy and laity. This fact is amply proved by the many versions of the Bible she



has printed in the different languages that best suited the requirements of her children. But her zeal for the propagation of the Gospel which led her army of missionaries and martyrs to every nook and corner of the known world made her all the more anxious to preserve her children from the blighting influence of heresy and doubt. It was in an effort to safeguard her flock from these fatal evils that she first placed on the reading of Sacred Scripture those salutary restrictions that have drawn down on her the ire of so many who are outside her pale and who cannot appreciate her spirit. In doing so she had in view an end very far different from that which her translators asserted. The lesson and warning of her first Chief Pastor were not lost on her. There are in the Scriptures 'some things hard to be understood, which the unlearned and unstable wrest . . . as also the other Scriptures, to their own perdition.'<sup>1</sup>

No sooner did the 'Reformers' reject the authority of the Church, than they began to multiply copies of the Bible which would more truly be designated 'perversions' than versions. They were carefully interpolated so as to support the whims of the respective heresiarchs of the time or advance their political interests. Whole passages, and even whole books, that could not be made to fit in with their pet theories or personal interests, were rejected as apocryphal. As Luther's theory of 'Justification by Faith alone' was in direct antagonism to the clear teaching of the Epistle of St. James, that part of Sacred Scripture which had hitherto been universally regarded by Christians as God's inspired Word, and styled by Luther himself 'the Golden Epistle' was now unceremoniously rejected by him with the trenchant remark that it was an 'Epistle of straw.'

Other important passages, for a similar reason, met with a like fate at his hands. Of his Bible Emser, one of his brother 'Reformers,' said it contained over 1,000 errors. Zwingli pronounced it 'a perversion of God's Word.'

When the latter brought out his version, Luther repaid the compliment with interest in his own virile fashion. The controversy between Oecolampadius and Beza on the merits of their respective versions were marked by mutual recriminations of the coarsest kind. Calvin's version was condemned by James I as 'the most wicked and unfaithful of all versions.' Tyndale's and Coverdale's versions were condemned by Henry VIII. That the condemnation was well merited in the case of the former at least, we learn from the Rev. J. H. Blunt, who tells us in his *History of the Reformation of the Church of England*, that 'in some editions of Tyndale's New Testament there are what must be regarded as wilful omissions of the gravest possible character.'

The 'authorized version' was brought out under James I, 'because,' as even Cranmer himself has to admit, his own version, 'was a disgrace to the Church.' Many of the clergy passed a similar condemnation on the 'authorized version;' a condemnation amply justified by the fact that in the 'revised version' there are no less than 36,000 variations from its text, many of them substantial.<sup>1</sup>

It will thus be seen that in their hands the Bible became the plaything of fancy. The conflicting opinions to which these different versions gave rise were a source of anxious doubt and painful unrest. It was to remedy this state of things, and to prevent the further spread of the manifold evils to which it gave rise,—among them civil war, religious dissensions, and the corruption of morals,—that Pius IV, at the request of the Bishops, assembled in Council at Trent, drew up Rules III and IV of the Index to regulate the use of Sacred Scripture. As they are too long to give in extenso, I shall give only their substance here. Rule III dealt with versions by heretics; Rule IV with Catholic

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<sup>1</sup> Schaff, *A Companion to the Greek Testament and the English Version*, p. 418. Cf. Gigot, *op. cit.* p. 375.

Bishop Ellicott, in his *Notes* on this very version, p. 89, says that 'in spite of the very common assumption to the contrary there are many passages (in it) from which erroneous inferences have been drawn, but where the inference (of a doctrinal nature) comes from the translation, and not from the original.' Cf. Gigot, *op. cit.*, p. 367, text and footnote.

versions. According to Rule III, versions of the Old Testament were allowed to men of piety and learning at the discretion of the bishop, not as a text but to throw light on the original. All versions of the New Testament by heretics were absolutely forbidden as only mischief could result from their use. The same rule forbade all notes, discussions on or explanations of the Vulgate, as well as all indexes inserted by heretics until previously examined by competent Catholic authority and the dangerous passages were expunged. They were then allowed under the same restrictions as the versions themselves.

Surely no fair-minded person will blame the Church for so acting. No man who believes in the Divine Inspiration of the Bible would accept any translation that had been garbled for sectarian purposes. Such translations were poison to her spiritual children. No sane person blames the State for surrounding the sale and dispensation of poison with the restrictions necessary to safeguard the well-being of the community. Nor is a physician judged guilty of tyranny who forbids his patient the use of food that would in other circumstances be not only harmless but highly beneficial, because he knows that under present conditions the use of that food, even in moderation, would lead to results not only highly injurious but absolutely fatal. Nor would the Church, who is the divinely appointed guardian of Holy Writ, and the only reliable exponent of its teaching, and whose ministers are the physicians of souls, be faithful to her mission if she allowed such translations to come into the hands of her members, or hesitated to restrict the use of even faithful versions at a time, when, owing to the machinations of her enemies and the feverish anxiety of the age in pursuit of novelties, such use might be detrimental to the best interests of the people committed to her charge. Such criminal neglect might, indeed, win from the world the compliment that she was tolerant and broadminded, but it would infallibly bring down on her the condemnation of the careless watchman in Ezekiel <sup>1</sup>:

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<sup>1</sup> iii. 16 and xxxiii. 16.



‘If the watchman see the sword coming, and sound not the trumpet, . . . I shall require his blood at the hands of the watchman.’

Rule IV of the Index as stated above, refers only to vernacular versions made by Catholics. Neither rule prohibits the reading of the Bible in the original. The Church wisely concluded that those who could read it in the original were not likely to be carried away by the sophistries of the ‘Reformers,’ nor deceived by their mis-translations and omissions. Nor did this rule absolutely forbid the reading of such versions in the vernacular. They were allowed to such as had the written permission of their bishop or other ecclesiastical superior, which permission was generally given when the pastor or confessor certified that there was no danger of misuse or perversion. This restriction was drawn still tighter by Sixtus V and Clement VIII, owing to the invidious attempts of the heretics of the time to palm off garbled versions of their own as the ones permitted by the Church. By them authority to grant such permission to keep or read vernacular versions was reserved to the Holy See. We see frequent parallels in the physical or social order in the regulations enforcing vaccination or quarantine on perfectly healthy individuals in the physical interests of the community. Surely the Church ought not to be less zealous than the State or the physician in safeguarding the higher interests with which she is charged.

When the fury of the storm which made this discipline a necessary safeguard had subsided, the severity of the legislation of Pius IV and the still more stringent regulations of his successors were relaxed, at least in practice. Bishops began to give permission as before with the tacit sanction of the Holy See, though the severer prohibitions were not formally withdrawn. Benedict XIV, in 1727, declared that translations sanctioned by the Holy See and edited with notes taken from the Fathers or learned Catholic authors, were to be thenceforth allowed. This regulation was confirmed by later Pontiffs (e.g. Pius VIII, 1829), and is now practically the law of the Church.

In making these regulations the Church was never actuated by a desire to keep the people in ignorance of the Bible. Her ministers were, even while the more stringent regulations were in force, inculcating its teachings, day after day, in their sermons and writings. If she forbade some of her children the unrestricted use of it for a time, it was because she had good reason to fear that such liberty would be availed of by her enemies to propagate their pernicious errors still more widely. Nor was the Catholic Church alone in this view. Even Henry VIII, the father of the 'Reformation' in England, soon learned the sad fact that the

indiscriminate lecture of the holy volumes had not only generated a race of teachers who promulgated doctrines the most strange and contradictory, but had taught ignorant men to discuss the meaning of the inspired writings in ale-houses and taverns, till heated with controversy and liquor, they burst into injurious language, and provoked each other to breaches of the peace.<sup>1</sup>

Under those circumstances they might claim that they were interpreting the Scripture 'by the aid of the spirit.' But it was hardly the spirit of reverence, and certainly not the Spirit of God. From the same source we learn that Henry, in order to preserve the sacred volumes from gross irreverence, found it necessary to confine the reading of them in families to persons of rank. The public reading of them to others was revoked. 'Personal private reading was granted only to men who were householders, and to females who were of noble or gentle birth.' The Church was at least consistent in her action. His restrictions were in direct contradiction to the principles of the 'Reformation.' She, too, is justified by results. Protestants ought to be the last to refuse to submit to this test of truth. It is Scriptural. It has been applied by our Divine Lord Himself. 'By their fruits you shall know them.'<sup>2</sup> Tested by that rule the Church need fear no condemnation of a line of conduct which has

<sup>1</sup> Lingard, Vol. i., p. 159.

<sup>2</sup> Matt. vii. 16.

unquestionably helped to preserve her unity of doctrine, which must ever be an essential characteristic of any church claiming to rest on a Divine foundation.

In her doctrine she is immovable as the Rock on which she is built. In her discipline she adapts herself, but only within reasonable limits, to the requirements of the times. For even in her discipline she displays a prudent conservatism which preserves her from being carried away by false ideas of progress which the modern world would make consist of continuous change; while in reality it consists of improvement along the same correct lines, or as St. Vincent of Leirns expresses it, 'growth in identity.'

When circumstances made it necessary, she adopted the precaution of restricting the use of Sacred Scripture. At the time of the so-called Reformation she deemed such a course not only advisable but specially necessary. Impartial history, far from condemning her action, will look upon it as an evident proof of the Divine wisdom by which she is guided. 'By their fruits you shall know them.' Weighed in the balance, this indiscriminate use of Sacred Scripture, and the principle of private interpretation, which is its necessary corollary, is found wanting.

What are the fruits of this pernicious system? They are simply deplorable. The immediate results of this principle was that numerous translations began to appear, which, to quote the words of Pius IX (1850), 'had been corrupted and with reckless audacity, twisted to a false meaning.' Many of the translations were undertaken and carried out more from a desire to support some fanciful or pet theory of the translator or his supporters than with any view of bringing the truth within the range of his followers. They all, moreover, drew meanings from the Sacred Text to suit their fancy. It seems incredible, but it is the no less true, that as many as eighty different interpretations were invented for the words, 'This is My Body.'

Everywhere the discordant and angry voices of the so-called Reformers could be heard, one condemning as rank heresy or sheer blasphemy what another held to be



the genuine sense of Sacred Scripture. Their quarrels plunged Germany into the horrors of civil war. Princes took advantage of the religious prejudices of the people to promote their political intrigues. This religion, or rather this travesty of religion, 'made in Germany,' like the children's toys, soon found its way into other countries, and was finally imported into England, 'ready made,' like cheap clothing, to be made there, too, the plaything of political intriguers, and help the royal wife-murderer and arch-adulterer, Henry VIII, to square his conscience, not by regulating his conscience to follow its principles, but by having its principles varied to fall in line with his wishes.

The varying fortunes of vernacular Bibles in this land of Bible Societies, it would take too long to discuss at full length. Cranmer's great Bible, on his own confession, 'could not be retained without scandal to the clergy.' The authorized version by the bishops, under James I, which was brought out to repair the scandal, was in turn openly derided by the clergy, 'as abounding in gross perversions of the original text.'<sup>1</sup> In the revised version there are 36,000 departures from the text of the authorized version, many of them serious. It is worthy of note that in some of these instances the revised version corresponds exactly with the Douai and Rheims or Catholic version. After the corruptions had been used in vain as artillery against Catholic teaching they were thus summarily consigned to the scrap-heap.

Add to this, that there are no less than 200 different sects in England alone at the present time; that many have tried sect after sect and ended by becoming agnostics or infidels. And you have sufficient data to form a fairly accurate estimate of the folly of the principle of private judgment, and the practice of indiscriminate and unaided reading of Sacred Scripture.

If any further testimony were required from outside as to the wisdom of the Church's discipline in this matter,

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<sup>1</sup> *History of Protestant Reformation*, by Archbishop Spalding, seventh edition, Vol. i., page 308. Cf. Gigot, p. 366.

it would be supplied in abundance by the history of Protestant Missions carried out on the principle of the 'open Bible for all.' That history, as furnished on the authority of non-Catholics, and often by the missionaries themselves, which may be had *ad nauseum* in Mr. T. W. M. Marshall's great work, would be ludicrous if it were not so lamentable. On their own confession it may be told in one word. That word is *failure*.

Starting on a wrong principle, with translations that might more correctly be called parodies, and bad ones at that, they not only failed, but excited such contempt for Christianity in the Pacific Isles and elsewhere along the Asiatic and African coasts, as to make it morally impossible for anyone else ever to succeed there. 'The natives had no more respect for their *Bible in the vernacular* than to use it as cheap paper in which to wrap up inferior soap, snuff, and candles. They often turned them into more undignified uses.' So much for the success of the principle 'the open Bible for all.'

While they were thus squandering millions with no better result than to excite the contempt of intelligent pagans and draw their pay; the Catholic Church was fast winning souls to God in those very places with the Bible interpreted and explained by competent teachers, according to Catholic principles. Most people who are not unduly prejudiced will freely admit that her action is more in accordance with the practice of the early Church than that of her opponents. The Divine commission was, 'Go and teach all nations.' Nowhere do we find a Divine command for the universal propagation of the Bible. Much less shall we find authority for the cardinal principle of Protestantism, 'the open Bible for all.' 'He that will not *hear* the Church let him be to thee as a heathen or a publican.'<sup>2</sup> Both history and reason disprove the truth of that principle. According to that principle the illiterate would be outside the pale of salvation. If the reading of the Bible were an essential condition for obtaining the faith; much more, if

<sup>1</sup> *Protestant Missions*, T. W. Marshall.

<sup>2</sup> Matt. xviii. 17.

the Bible were, what they claim it to be, 'the sole rule of faith,' Christ could not and would not have left his Church without it one moment after He had severed His visible connexion with it. Yet it was only eight years after His Ascension that the first Gospel was written. The other parts of the New Testament were not written for long after. Even then, they were in many cases written, not to aid in establishing the faith, but rather as inducements and exhortations to those who had already received it to persevere therein, and live up to its teaching, or else to weed out the poison of heresy, or warn the faithful against false prophets who perverted the teaching of Christ. This fact its pages amply testify.

In the golden age of Christianity, when the theatres re-echoed with the cries of the martyrs and the arenas were dyed with their blood, there were few Bibles. It is more than probable, for it is absolutely certain that many of the martyrs never saw a copy, though they were conversant with its teaching which they learned from the lips of their Divine Master and his Apostles and their disciples. The Apostles did not think with the 'Reformers,' that the reading of Sacred Scripture was essential for obtaining the gift of Faith. St. Paul tells us that 'Faith comes of hearing,' not of reading. Nor in later times did St. Augustine or St. Clement of Alexandria. The latter distinctly states we may have the faith without the Scriptures.<sup>1</sup> *Fides absque litteris discitur.* St. Augustine tells us,<sup>2</sup> that 'a man endued with faith, hope, and charity, and preserving them intact, needs the Sacred Scriptures only to instruct others. So that many by the aid of these three lived even in the desert without the books.' These great saints of God were but witnesses to the belief of their time. The Catholic Church to-day may well rest content with being of one mind with them. The principle of 'private interpretation' and 'the open Bible for all' is strongly inconsistent with the Protestant practice of a teaching clergy. Error and inconsistency are ever allied by logical necessity.

<sup>1</sup> *Poed.*, I. xi. c. 41.

<sup>2</sup> *De Doct. Christiana*, I., 31.



Though the Catholic Church does not and cannot admit with Protestants that 'the Bible is the sole rule of Faith,' and therefore necessary to be read by all; for her very existence is a denial of that contention; she has at all times held them in the highest esteem; giving proof drawn from them the first place in her theological treatises; making them the basis of her instructions to her children; and of the books of piety that are scattered broadcast amongst them. She has encouraged them to read them and study them. She has enabled them to do so with fruit by translating them into every known tongue, and elucidating them with explanations of the fullest and most varied nature.

And if, at times, she has prohibited the use of them to the laity, or allowed them only with salutary restrictions, her excuse, or rather her justification, is to be found in the necessity for thus preserving the faith of her children untrammelled and their morals unimpaired.

To absolutely forbid the reading of Sacred Scriptures for all time and prevent God's message from reaching her subjects is one thing. To restrain it or surround it with salutary restrictions for a time while otherwise making suitable provision for the spiritual wants of her children, is entirely different. And with the cause she had such action was entirely justifiable.

When the temper of the times changed, when the intellectual fever subsided; when the dangerous craze for novelty began to wane, and all danger of perversion was removed, the Church gradually reverted to her original attitude. Hence we find Pius VI, in 1778, writing to the Archbishop of Florence:—

You judge exceedingly well that the faithful should be excited to the reading of Holy Scripture; for these are the most abundant sources, which ought to be left open to everyone to draw from them purity of morals and of doctrine, and to eradicate the errors which are so widely spread in these corrupt times. This you have reasonably effected by publishing the sacred writings in the language of your country, suitable to everyone's capacity.

Pius VII, in 1820, writes in a similar strain to the Vicars-

Apostolic in England, urging them to encourage their people to read the Holy Scriptures. 'For nothing can be more useful, more consolatory, and more animating, because they strive to confirm the faith, to support the hope, and inflame the charity of the true Christian.'

The same spirit breathes through the Pastoral Letter of the American Bishops to their flocks in 1888. 'It can hardly be necessary to remind you, beloved brethren, that the most highly valued treasure of every library, and the most frequently and lovingly made use of, should be the Holy Scriptures. . . .' After quoting with approval the message of Pius VI, given above, they proceed: 'We trust that no family can be found amongst us without a true version of the Holy Scriptures.' And coming down to later times, the attitude of the present Supreme Pontiff in the appointment of the Biblical Commission, and of his illustrious predecessor, as expressed in his Encyclical in 1893, is too well known to need mention.

So far from the Church being the enemy of the Bible, she is its best and only true guardian. Luther, the chief heresiarch of modern times, has confessed 'that but for her they would never have received it.'<sup>1</sup> Cardinal Newman in defending the monks of the Middle Ages from the double charge of ignorance and idleness, very pertinently reminded their maligners that they owed it to the labours of these very monks in transcribing the classics and keeping the light of learning burning during the Middle Ages the 'fact that they were able to talk at all.' 'With equal truth and greater force might some candid critic of the present day reply to those maligners who accuse the Church of 'being the enemy of the Bible,' and being 'guilty of soul-destroying tyranny and conscious imposture,' in withholding its use for a time, that they owe it to the Church they so malign that they have a Bible to discuss.

I cannot refrain from quoting here a rather lengthy passage from Marshall's *History of Protestant Missions*.<sup>2</sup>

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<sup>1</sup> Luther, *Comment in S. Joan. Evangel.* Cf. Marshall, *Protestant Missions*, vol. i., p. 56.

<sup>2</sup> Vol. i., p. 56.

It would be hard to find a more appropriate conclusion for this essay. He puts the whole thing in a nutshell :—

That she should not venerate the Divine Scriptures, which are so absolutely her own, that they were abandoned by their Author to her sole authority both to define and promulgate ; that she should be indifferent to that sacred deposit, of which during the long ages she was the only guardian ; which the incessant and life-long labours of her own servants diligently preserved and multiplied ; upon which all her saints were nourished, and out of which all her doctors taught ; which are daily presented to her priests in the most solemn function of their ministry, to be reverently kissed ; and which she offers at this hour, in every land without stint or measure, to all who can relish their sweet savour ; this is evidently the dream of the fanatic or the calumny of the false prophet. She is guiltless indeed of the cruel indecency of putting all the books of the Old Testament into the hands of children, or the criminal folly of giving the Epistles of St. Paul, without note or comment, to women and peasants, or of abandoning the mystic Apocalypse to the crude fancies of every disorderly dreamer, or the trivial exegesis of every inflated sophist. And though as the Teacher of the nations, she has other guides besides the Written Word, being the guardian of the Apostolic traditions, and taught directly and unceasingly by the immediate inspiration of the Holy Ghost, yet the Church is, in fact and deed, the only true Bible Society ; and with such incomparable wisdom and power does she unfold to all her children the mysteries of that eternal book, that even the unlettered peasant, taught at her knee, though he has never learned to read, attains a familiarity with its hidden truths, a keen and living perception of its holiest doctrines, compared with which the bald and superficial word-knowledge of the subtlest mind beyond her pale is gross darkness.

The mills of truth grind slowly but surely. And when truth leaves its final impress on the pages of history many of them will be changed out of all recognition. But no pages will have to be more thoroughly re-written than the many that have appeared whether in good faith or in malice in condemnation of the Catholic Church for the action she has taken with regard to the Written Word of God. In no instance will the words be more fully verified that the ‘judgments of God are different from the judgments of men.’

STEPHEN J. WALSH, C.C.



## 'APPEARANCE' AND 'REALITY'—III

## I.

IN offering a rational justification of the plain man's belief in the *reality* of an extramental Material Universe,<sup>1</sup> I have assumed that the Principle of Causality—'Whatever happens has a Cause'—is validly applicable to *all* conceivable reality, and may therefore be legitimately used for the purpose of *inferring the existence of a real, extramental cause for the mental data brought into consciousness in the process of sensation*. Here, however, the Kantian philosopher interposes by objecting that since this Principle of Causality, like certain other 'necessary' and 'universal' judgments of the understanding, is one of a number of innate mental forms in which alone we can 'think' those mental data that are furnished us in external and internal sensation, the principle can find its valid application only *within* the sphere of the mental phenomena of sense-consciousness and *not* for the purpose of inferring the existence of any reality *outside that sphere*.<sup>2</sup>

Then, after thus distinguishing between the 'phenomenon,' to a valid knowledge of which the *Speculative Reason* may attain by the aid of such principles, and the 'reality' or 'thing-in-itself' from a knowledge of which the *Speculative Reason* is, by the very nature of its own constitution and principles, inevitably debarred, the Kantist goes on to claim that man has fortunately another faculty—the *Practical Reason*—endowed with other principles which can carry him beyond the 'phenomenon' and put him into *personal* and *certain* contact with 'Reality.'

These two well-known Kantian distinctions need some impartial consideration; for, unfortunately, there has been not a little ambiguity and misunderstanding about their

<sup>1</sup> I. E. RECORD, August, pp. 126 seq.; September, pp. 275 seq.

<sup>2</sup> *Ibid.*, August, pp. 122, 130, 131.

nature, scope, and significance. Let us, then, examine the alleged inability of the above-mentioned necessary judgments to disclose to us the nature of 'Reality.' And it will be well if in doing so we ask ourselves whether Kantists, in claiming that the knowledge reached by our *Speculative Reason* is necessarily limited to phenomena, claim anything more than what we, and indeed all philosophers without exception, must admit, and do freely admit, viz., that 'Reality' in order to be known must *reveal* itself to the knowing mind and can be known only in so far as it does so reveal itself,—in so far, that is, as it becomes for us a 'phenomenon' or a 'noumenon' and object of our sense faculties, or an object of our intellectual faculty<sup>1</sup>: which, after all, is merely saying that a thing cannot be known without being known!—not a very alarming or compromising admission.

## II.

Kant, in his laudable desire to avoid the sceptical empiricism of Hume on the one hand and the extreme *a priori*, dogmatic idealism of Leibnitz and Wolff on the other hand, constructed a theory of knowledge which might be expected to possess some affinity with the 'golden mean' of the then almost unknown scholastic theory: and which does in fact possess some very remarkable analogies with the latter,<sup>2</sup> notwithstanding the apparently absolute opposition between these two rival philosophies.

The Kantian theory is in its main outline quite easy to understand. Kant seeks an explanation of that characteristic of *necessary* and *universal* truth recognized by all men to exist in such judgments as 'Whatever happens has a Cause,' 'Seven and five are twelve,' 'A straight line is the

<sup>1</sup> See, for instance, I. E. RECORD, May, p. 493, footnote.

<sup>2</sup> I am giving 'noumenon' its natural etymological meaning of 'something understood, something which is *revealed* to, and is the *term*, or *object* of, the *understanding*.' I am aware that in the Kantian usage the word denotes 'Reality' simply; this latter being termed also by them the 'Thing-in-Itself,' the insinuation being that the latter, although necessarily 'thought of' by the *Speculative Reason*, is not and cannot be 'known' by it, inasmuch as it is 'transformed,' 'changed,' etc., in the attempted process of 'knowing' it.

shortest distance between two points,' etc.; and he finds that explanation in the general supposition that our minds are so constructed and so equipped and endowed with innate dispositions or grooves or forms for apprehending and interpreting the data of sense-experience in a certain fashion, that we simply cannot 'think' or 'apprehend' or 'interpret' or 'judge' them otherwise than we do. Hence the 'necessary' and 'universally valid' character of such judgments. All knowledge, he contends, involves a 'matter' or 'content' and a 'form.' The matter of our knowledge is *given us from without* ('*das Gegebene*') and consists in 'the objects which strike our senses.'<sup>1</sup> What these 'data' or 'objects' are in themselves we know not; for we know them only as they appear in our sense-consciousness in which they are taken up into, and clothed with, two mental forms—of external and internal sensibility—by means of which forms these data are 'mentalized,' if I may use the expression, so as to appear to us as existing in *space* and in *time*. These *sense-intuitions*, as they are now called, are next taken up, through an analogous though much more complicated process, by the *understanding*, which applies to them certain other 'forms' or 'categories' or 'native dispositions' in virtue of which it *necessarily* 'judges' these sense phenomena as being related to one another as 'cause and effect,' 'substance and accident,' 'contingent and necessary,' etc. These and such other judgments are effected by the *synthesis* or joining together of the contents of a time-and-space intuition of sense with some one or other of these mental forms which existed in the understanding *a priori*, i.e. *prior to*, and as a necessary condition for, the formation of the conscious judgment which interprets the given sense-experience in a certain way.<sup>2</sup> Such judgments give us valid knowledge of the sense-data to which they are applied; but these data, be it remembered, are known in sense-consciousness *only as 'phenomena,'* only as they 'appear'

<sup>1</sup> Apud Ruyssen, *Kant*, p. 69 ('*Les Grands philosophes*' series, Paris, Alcan, 1905).

<sup>2</sup> Cf. I. E. RECORD, May, p. 493, footnote.



there when 'mentalized' by the forms of 'space' and 'time': to such phenomena is the valid knowledge of the understanding essentially limited.

The *Speculative Reason* is, however, *compelled to think* (by virtue of the *a priori* forms of causality, substance, necessity, limitation, unity, etc.) of an extramental, real COSMOS, 'causing' the 'spatial' data of *external* sensation; of an extramental, real EGO, 'underlying' the 'time' series of *internal* conscious states; and of a FIRST, UNCONDITIONED, INFINITE REALITY as the ultimate Principle of both *Ego* and *Cosmos*: the three '*Ideas*' (of Kantism), whose objects the *Speculative Reason* is forced indeed to *think of*, but for the *reality* of which objects it can have no guarantee, inasmuch as in thinking *them* it has no empirical sense-data or 'matter' to which to apply its forms, and without such matter knowledge is unreal and has no sphere to which it can be validly or intelligibly applied. The final and highest effort of man's *Speculative Reason* is, therefore, to *point in the direction of* Realities whose existence, however, not the *Speculative* but only the *Practical Reason* can efficaciously guarantee.

### III.

Now a word or two by way of criticism and of comparison with the Scholastic Theory. Scholastics find an explanation of the 'necessary' and 'universal' truth of the judgments referred to in the fact that the intellect is endowed—not with a number of innate unconscious 'dispositions' or 'forms' productive of such necessity, but—with one single power of *abstraction*, i.e. of apprehending, in the ever-changing 'spatial' and 'temporal' representations of sense-consciousness, a certain *aspect of the reality* therein presented, an aspect divested of *change* and therefore static and absolute; a power of analyzing that aspect, of resolving it into elements and of relating these elements in *immutable* and *universally applicable* judgments.

Granted that the Intellect or Understanding has this power of apprehending in an abstract, static, unchanging

condition, the reality revealed in sense-consciousness as subject to the changing conditions of existence in time and space, scholastics admit, with Kant, and contend themselves, that the Understanding sees these judgments to be 'necessary' and 'universal' because 'it was made that way,' so to speak; because, being what it is, it cannot see or conceive its object otherwise than it does: it is, they teach, precisely because *we are not limited to SENSE faculties* with their concrete perceptions of the ever-changing sense-aspects of 'reality,' *but are endowed with UNDERSTANDING*, that we can and do apprehend stable, unchanging, 'necessary' aspects of that 'reality.' But scholastics do not see the need of postulating for the Understanding, over and above this power of abstract conception and comparison any additional 'necessity-producing' grooves or '*forms*' of judgment.

Kant himself admits that in the formation of these concepts and judgments as *conscious* entities or products, there is an element—the '*matter*'—which comes to 'understanding' from 'sense' and to 'sense' from 'without.' The empty '*form*,' an unconscious disposition or aptitude of some sort, is *alone* innate.

But, continues the Kantist, it is because of this 'formal' element that we perceive things as we do: we know them only as thus '*formed*,' or '*informed*,' not as they are *in themselves*: and, for aught we know, they may be completely 'metamorphosed'<sup>1</sup> in the process of clothing them with the mental forms: hence all knowledge of the *Speculative Reason* is a knowledge of 'phenomena,' of mental *appearances*, not of the realities or things *as they are in themselves*: about the true, real, inner nature and constitution of 'Reality-in-Itself' Speculative Reason knows and can know nothing.

This chain of inferences reveals the dangers of 'subjectivism' and 'scepticism' latent in Kant's philosophy however well-intentioned its author may have been. Let

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<sup>1</sup> Cf. Rickaby, *First Principles*, p. 285.

us examine the steps indicated, proceeding from the last one backwards.

It is true, I suppose, that *if* the reality, or realities, which form the 'materials' of our knowledge, *were* 'metamorphosed' in the process of our 'knowing' them, our knowledge of them would be deceptive and misleading; nay, more, it is even true that though they were not *de facto* so 'metamorphosed,' still, if they *might be*, without our being aware of the metamorphosis, our knowledge would by this possibility be rendered entirely suspect—mere unreliable guesswork. But, then, we may fairly ask, have Kant's disciples any ground whatsoever for such a suspicion—any more than Descartes had for his suspicion that he might have been the sport of some malicious sprite rather than the creature of an All-Wise Creator?

Yes, say the Kantists, we have. The real value of our intellectual judgments lies in the *necessity*, the *immutable* and *universal* character, of the truths they embody: and if this character of necessity springs from the thinking subject, the mind, the mental form, and not from the matter, from the *data*, irrespective of all mental forms, from the reality as it is in itself, then—and here the danger of a misunderstanding is easy—then, say the Kantists, it follows that the knowledge endowed with these characteristics is a knowledge merely of the *mental data* to which the forms are applicable, nay, of these data *as clothed with these forms*, i.e. as 'phenomena,' and not at all of the *extramental* material itself, the '*reality-as-it-is-in-itself*.'

To all this I would reply that if this last-mentioned inference means merely that we can know reality only in so far as it becomes the object of our thought, only in so far as it is united or connected with the knowing mind, and not as out of all connexion with mind, as isolated and apart from mind and 'in itself' absolutely, then I accept the inference as the embodiment of a self-evident truth;<sup>1</sup> with a protest, however, against the insinuation—which has led so many Kantists to scepticism—that because the

<sup>1</sup> Cf. Maher, *Psychology*, p. 158.



reality *does* become an object of knowledge, a ‘phenomenon,’ it therefore necessarily becomes a *mere* phenomenon—with an emphasis on the ‘*mere*,’ presumably to make the word equivalent to ‘*unreal*.’<sup>1</sup>

The insinuation in question is a groundless one,—and this brings us to the reason assigned above for the inference under discussion, the alleged purely subjective origin of the necessary character of the judgments in question. Where does their ‘necessary’ character come from? And how does the *origin* of this characteristic of ‘necessity’ affect the sphere to which they are validly applicable? It is very curious and very suggestive that some philosophers have regarded the origin of these ‘necessary’ truths as having little to do with the nature and sphere of their validity,<sup>2</sup> but scholastics and Kantists are, I think, agreed that the scope of their validity depends very much indeed on the source whence their ‘necessary’ character springs. And it is on this point particularly that there seems to be some sort of *ignoratio clenchi* between Kantists and scholastics. Let us explore it a little.

#### IV.

The question is generally proposed in this way: Is the *evidence*—or the *motive*, if the word ‘evidence’ be found objectionable—which compels us to think that ‘Whatever

<sup>1</sup> Cf. I. E. RECORD, April, p. 414; June, pp. 620, 621; *infra* p. 487.

<sup>2</sup> Father Maher, in his *Psychology* (p. 286, footnote), institutes an interesting comparison of the various theories ‘concerning the *origin* and *nature* of these primary truths’ with one another: ‘A. The Evolutionist maintains (1) the existence of obscure innate ideas or cognitions, as (2) an *organic* inheritance, from (3) a *lower* form of life, acquired by (4) *sensuous* experience, during a vast period, and (5) *therefore* of eminent validity within the field of possible experience: B. *Plato* upheld (1) innate ideas or cognitions, as (2) faint *spiritual* vestiges (3) of a *previous* life, of a *higher* grade, but (4) not derived from *sensuous* experience, and (5) *therefore* of eminent validity: C. *Descartes* and *Leibnitz* defended (1) innate ideas or cognitions, as (2) *divinely* implanted in the mind, and (3) *therefore* of eminent validity: D. *Kant* held (1) innate forms, (2) antecedent to and conditioning *all* experience, and (3) *therefore* subjectively *necessary* within the field of possible experience, but (4) of *no real validity* as applied to *things-in-themselves*: E. *Associationism* denies innate ideas in any form, and ascribes the *necessity* of these cognitions to the constant experience of the individual’s own life.’

happens has a Cause,' 'Five and seven are twelve,' etc., *subjective* or *objective*? And forthwith the issue between Kantism and Scholasticism is understood to be knit, and the battle royal about 'subjective' and 'objective' commences! Let us see if we can gather what each of the disputants *means*, from an attempt to analyse what he says.

The 'necessity' is *subjective*, says the Kantist, because it is a contribution exclusively from the subjective side: it is imposed by the 'forms' of the understanding on the 'intuition' of sense, and these have been reached by the imposition of the sense 'forms' of space and time on the primitive 'raw material' that was given from without: this 'raw material' being the necessary postulate of all theoretical knowledge, the 'thing-in-itself,' the 'Reality,' but standing in itself Unknown and Unknowable—a veritable  $x$ .

On this I would remark, firstly, that by 'subjective' the average Kantist does not mean 'purely formal' in the sense that the 'necessity' which springs from the 'forms' is not validly applicable to the 'material;' for he holds that it is precisely by applying these 'forms' to the 'material' that he brings the latter into consciousness, makes it a mental 'phenomenon' and so reaches necessary truth about it; he rather means that the 'necessity' extends only to the material *as clothed* in the mind *with the mental forms*, not to the material *as it is in itself*, apart from these forms and apart from the mind.<sup>1</sup>

But, then, too, I would ask, secondly, what right has the Kantist to assume that this necessity (which compels our assent to these evident judgments) comes *exclusively* from the *side of the mind*, exclusively from the *mental forms*? Since, according to his own hypothesis and his own confession, he knows and can know nothing about the *contents* of his sense-intuitions and intellectual concepts, about the 'data,' the 'materials' that are given 'from without'—how does he or can he be sure that in the process of cognition *they too* have not *their* share, and are not, in

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<sup>1</sup> Cf. *supra*, pp. 473, 476.

some degree at least, instrumental in producing the 'necessity' of the judgments in which he mentally embodies these 'materials'? I urge this point here simply as an *argumentum ad hominem* against the Kantist. The attitude of the scholastic will bring us back to it presently.

The scholastic on his side stoutly maintains that the 'evidence' is *objective*, that the *necessity* which motives our assent to these judgments is *objective*. But what does he mean by this? For, he too, be it remembered, will allow—at all events when he is not disputing with a Kantist—that the necessity must have a *subjective* or *mental* side in order that it may be able to influence the mind's assent in any way. Of course it must. This is only repeating what he has already admitted over and over again,—that he recognizes as clearly as any Kantist this necessary limitation of the human mind: that it cannot become conscious or aware of any 'thing,' or 'know' any 'thing,' until that 'thing' is 'introduced' (as we may perhaps not inappropriately express it) to the knowing mind. But, he hastens to add, the *necessity* comes *from the data*, that is, from the REALITY: it is an attribute, a quality, a characteristic of the concepts which the understanding uses as predicates in forming the judgments in question. Let us see what this means. Does it mean that the 'necessary' character of these judgments about 'Reality' is grounded *exclusively* in, or accounted for *completely* by, the said Reality 'as it is in itself' and 'out of all relation to the knowing mind'? That would be absurd: it would imply that we 'knew' the reality in the state in which it is *ex hypothesi* 'unknown.' The reality in that unknown state, isolated from the knowing mind, can account for no attribute of our knowledge whatsoever. The scholastic, therefore, means that the 'necessity' of these judgments is due to the nature of the 'Reality' *as revealed to the understanding through the sense faculties*; and it implies or insinuates that the nature of the 'Reality' is not at all transformed or 'metamorphosed' in the process of cognition whether sensible or intellectual.<sup>1</sup>

<sup>1</sup> Cf. Rickaby, *op. cit.*, p. 285.



## V.

It might, perhaps, be urged here, by way of making Scholasticism appear just as 'subjectivist' as Kantism, that, as the 'necessity' is claimed by Kantists to spring exclusively from the mental 'forms,' so also we ourselves admit that in our theory of knowledge the 'necessity' of these judgments springs from the *process of abstraction* to which the sense-materials are submitted in the formation of the abstract, intellectual concept. In the Kantian theory the mental contribution to the process of cognition consists in this that the mind submits the data 'from without' to one or more mental forms or grooves, in and through which it interprets those data: in the scholastic theory the mind brings to the process not a number of such 'forms' but one native power—the abstractive power of the *Intellectus Agens*—by the application of which power to those sense data it seizes them in such a manner that when thus 'caught up' by this higher power they yield 'necessary' 'immutable,' 'universal' relations, which they do not yield so long as they are present in mere sense-consciousness. Scholastics may admit all this. It is not here that the difference between the two theories lies. Indeed, scholastics teach emphatically that the mind is not *merely passive*—as empiricists would have it—in the process of cognition: and in this they are at one with Kant in his protest against Hume.

They tell us that the mind so reacts to impressions 'from without' that these 'necessary' intellectual judgments are the result of a two-fold factor, the 'something from without' and the 'abstractive power' of the mind. Scholastics insist, no doubt, that the 'abstraction process' and the 'necessity' arising therefrom, are *not independent* of the *data* on which the mind is at work, and that *therefore* these 'necessary' judgments are applicable *to those data*: but Kantists likewise, although they emphasize, perhaps unduly, the purely 'formal' origin of the necessity, admit nevertheless, as we have seen,<sup>1</sup> the applicability of these

<sup>1</sup> *Supra*, pp. 473, 476.

judgments to the sense-data. The main difference between Kantists and scholastics is to be found in their divergent and conflicting views about these same 'data' themselves. To these, therefore, let us now return.

## VI.

In the Kantian Theory of Knowledge there are three stages which demand the closest attention. These are: the first conscious representation of a something existing in intra-mental space and time; the formation of some 'necessary' judgment by the understanding about that something; the inference by which the mind (which Kant here calls the 'reason,' not the 'understanding') reaches any judgment about a 'something' a 'reality' *distinct from, or other than,* its own mental phenomena. Although these three stages may be thus distinguished, and are usually thus distinguished, I do not regard the distinction as a happy one: and for these reasons: Firstly, what Kant describes as a 'sense-intuition,' i.e. the conscious representation to ourselves of something as existing in space or time, is really a *judgment* by which the *understanding*—the judging faculty—interprets the data which float into sense-consciousness. The 'space' and 'time' which he calls 'forms of sense' would be more appropriately classified with the other 'forms of the understanding,' for their function is to enable us to establish 'time' and 'space' relations between sense-data, i.e. to *form certain classes of judgments* about the latter. These two Kantian forms are analogous to what scholastics call the 'abstract concepts' of space and time; each of these being, according to scholastics, not indeed the application of a mental 'form' to an extramental 'matter,' but yet a mental product in which the contribution 'from within' over-shadows that 'from without': a mental construction or '*ens rationis*,' built up however, from 'outer' materials, that are 'real'—'*cum fundamento in re*.'

Secondly, in the whole process of cognition the most profoundly obscure step is admittedly the step from *mere*

sense-consciousness to *intellectual judgment* proper with its attribute of truth. Its greatest difficulty is the reconciliation of 'reality' as perceived by sense with 'reality' as perceived by intellect, of 'concrete' with 'abstract,' of 'changing' with 'changeless,' of 'contingent' with 'necessary,' etc. And here, certainly, the Kantian theory of the '*Schemata* of the pure understanding'<sup>1</sup> has all the defects of the scholastic theory of the *Intellectus Agens* without the latter's saving merit of simplicity.<sup>2</sup>

Thirdly, the possibility of the third stage in Kant's account of cognition depends upon a step that is really prior to the 'sense-intuition' which Kant places first, viz., upon the interpretation we give to the very first coming into consciousness of anything 'from without.'

Let us, therefore, examine the '*data*' or '*materials*' of the first conscious, cognitive act, and see if Kant's theory is not open at least to the charge of being inconsistent, incomplete, and unsatisfactory in their regard.

## VII.

In order to make out a rational theory, to give an intelligible and satisfactory account, of the possibility and actual genesis of certain, scientific knowledge, Kant admits that he must postulate, and does in fact postulate, an *extramental something*, a *datum*, a *material*, '*object*,' etc. In this he is very explicit. Indeed if there is one thing of which he *cannot* be justly accused that one thing is a subjective idealism that would involve any scepticism or doubt about the existence of a reality other than the knowing mind.<sup>3</sup> *Kant never doubted the existence of such reality*; but he is certainly not happy in his account of the way in which we come to 'know' it. Our *Speculative Reason* must, he says, *assume* its existence as a *postulate* but cannot *prove* its existence. Why we must assume it we have just seen: because, in order to give ourselves a rational expla-

<sup>1</sup> Ruyssen, *Kant*, p. 60; pp. 90 sqq.

<sup>2</sup> Cf. I. E. RECORD, May, p. 493.

<sup>3</sup> *Op. cit.*, pp. 54, 69.



nation of our knowledge *we are forced* to postulate it : on no other conceivable hypothesis than that of the existence of a 'something real,' distinct from the cognitive process of the knowing mind, would our knowledge be at all rationally explainable.

Very well ; but if the facts cannot be otherwise explained than on the assumption that 'something real' exists besides the knowing mind, is not this surely '*proof*' enough to engender in us a 'knowledge' or 'conviction' of that reality,—to enable us to 'know' at least *that it exists*?<sup>1</sup> Or, we might put the matter to a Kantist thus : It is in virtue of the Principle of Causality that you postulate the reality of a something beyond the 'phenomenon' or 'appearance' that shows itself in your sense-consciousness. It is because you feel that in sensation, when any 'phenomenon' emerges into consciousness, you are 'passive,' 'receptive,' 'acted upon,' 'influenced by,' something *independent of you*, something *other than* your conscious self,<sup>2</sup> it is for that reason you postulate the reality of a *datum* in knowledge, of a *matter* as well as a *form*. But do you not see that *either* you are applying the Principle of Causality *validly*<sup>3</sup> or *you have no right to your postulate*? You maintain on the one hand that you are forced, no doubt, by the Principle of Causality, by the very fact that your mind is endowed with this and other like principles,<sup>4</sup> by an inevitable law and impulse of your reason, to *use* these principles here for the purpose of inferring—or 'assuming' or 'postulating,' if you will—the existence of this extramental, non-phenomenal reality ; and you contend in the same breath that here exactly the application of such principles is invalid, that by virtue of them you are forced indeed to 'think' such reality as existing but can never 'know' or 'assert' scientifically *that it does exist* ! While on the other hand you insist that although the principle on which you make your assumption does not justify you in making

<sup>1</sup> Cf. I. E. RECORD, June, pp. 612, 615, 620.

<sup>2</sup> *Ibid.* August, pp. 128, 129.

<sup>3</sup> *Ibid.*, p. 130.

<sup>4</sup> *Supra*, p. 474

it, nevertheless you *must* make it because scientific knowledge is impossible without it! Is there not some inconsistency here?

## VIII.

I am aware of the Kantist's contention that he can, after all, 'justify' *in a certain sense*, his assumption; that he can 'prove' somehow to himself the existence of the postulated reality, or at all events reach a *personal* and *practical certitude* about it, on other grounds than that of the Principle of Causality and from another source besides the *Speculative Reason*, viz., from the *Practical Reason*. Into this, which is the constructive side, of Kant's philosophy, I do not purpose for the present to inquire. I will merely remark that man's mind is not evidently split into two 'water-tight' compartments each with its own independent sources, methods, and laws of cognition; nor is it easy to see how an individual can be ever certain of any 'reality' after he has failed—or pretended to fail—to see sufficient proof of the existence of some 'reality' in the simple fact that without some 'reality' knowledge as he actually possesses it would be, on his own admission, impossible. If an individual admits and proclaims that the whole course of his own mental development, the whole series of mental states or phenomena which he has experienced from the first dawn of his consciousness, would be utterly inexplicable and unintelligible and irrational were there no 'reality' besides his own thinking mind; and then turns around and 'takes our breath away'<sup>1</sup> by telling us that he does not 'know' and has no right to 'affirm' that the reality (which he is *forced* nevertheless, to 'think'!) does actually exist: we not unnaturally begin to ask ourselves how he can refuse to recognize a 'proof' in such a plain inference, or whether he means the same thing by 'knowing' and by 'reality' as ordinary people do.

<sup>1</sup> As Professor Bosanquet, in another connexion, rightly says of Mill, when the latter, after insisting that the *Judgment* refers to 'real things,' calmly goes on to assert that these 'real things' are merely 'states of consciousness'!—Mellone, *Introductory Text-book of Logic*, pp. 385, 386.

And our doubts on this latter point will grow considerably when we hear him go on to say that although he does not 'know' of the existence of such reality, yet he 'believes' firmly in it; that although its existence is not a 'scientific,' 'theoretical' *certainty* for him, yet he has a 'personal,' 'practical' *certitude* about it. Leaving this, however, for the present, and reverting to his refusal to admit the inference, we shall discover in the cause of that refusal the fundamental divergence of view that separates Kantism—and indeed of every form of phenomenism based on 'immediate perception' of material reality—from the Scholastic doctrine of realism based on 'immediate perception' of that reality.

For, why does the Kantist decline to accept the inferences by which in virtue of the Principle of Causality (and other such principles), we convince ourselves of the existence (a) of a Real *Material World* distinct from our conscious, mental processes and a partial cause of these latter,<sup>1</sup> (b) of a Real Self or *Ego* as a substance or agent, likewise a partial cause of these same mental processes,<sup>2</sup> and (c) of a Real Supreme Being, the First Cause of all finite reality? Why does he refuse to admit the soundness of these inferences? I imagine the Kantist's reason would be like this: that at no point in the whole process of cognition—according to his account of the latter—does the mind become aware of anything that is not a 'phase' or 'modification' of itself, a mere 'appearance' or 'phenomenon,' not even in sense-consciousness; that, no doubt, in the sense-intuition there is a '*datum*' or 'matter,' but that what is 'known,' what becomes the *object* of the sense-intuition is not the '*datum*' itself but the mental compound<sup>3</sup> of 'matter' *plus* 'form;' that similarly what is known by the understanding is the compound of 'sense-intuition' *plus* 'category;' that therefore throughout the whole process the known object is a mental compound requiring a 'form' or 'category' *plus* a '*datum*' (in itself unknown); that, furthermore, these

<sup>1</sup> I. E. RECORD, August, pp. 130, 131.

<sup>2</sup> *Ibid.*, May, pp. 611, 612, 615, 617.

<sup>3</sup> Cf. Rickaby, *First Principles*, pp. 284, 285.



forms of the understanding do not produce valid knowledge unless when applied to a '*datum*' or 'material' furnished in sense-intuition; and that therefore, as a final consequence, if the mind attempts to apply any of its forms to anything that is not material, sensible, presented in sense-intuition,—that is not, in other words a 'phenomenon,'—the application is futile, invalid, empty of content: and so the *Speculative Reason* cannot by means of such forms transcend phenomena to attain to a valid knowledge of non-phenomenal Reality.

## IX.

Let us examine this reply, part by part. We shall find it, I think, to be self-compromising. If it were true that in no act of cognition whether sensible or intellectual did the individual mind have for its *directly known object* anything other than a *state* or *phase* or *modification* of itself, an 'appearance,' a 'phenomenon,' existing solely in the individual consciousness, then inevitably must the mind remain closed up within itself,<sup>1</sup> and *Solipsism* is the logical issue—and that notwithstanding all that the Kantist may say about the '*datum*,' the 'material' of knowledge; for by the latter in so far as it is 'known' he understands *ex hypothesi* something *within* the narrow ambit of the *individual's own subjective consciousness*. If, on the other hand, there is in the sense-intuition a *real datum* distinct from the subjective or mental contribution, as Kantists in fact admit that there is, then is it not plain that the scholastic theory of *immediate* sense-perception of a reality '*other than*' the perceiving mind, is the correct view: that at this point the mind *does* come into *direct* and *immediate contact* with 'reality'? What ground has the Kantist for *starting* his theory of the process of cognition from the postulate of a *real datum*, and instantly *abandoning* the 'reality' of that *datum* while in the act of conducting it over the threshold of consciousness? Or does the whole difficulty consist in some imaginary 'metamorphosis'

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<sup>1</sup> I. E. RECORD, August, pp. 121, 99.

effected in the transition from 'without' to 'within,' from 'unknown' to 'known'?

That the 'knowledge' of any 'object' is a 'product' of two factors, the reality acting on the mind and the mind reacting under this influence, a Subjective or Self- or Thought-factor, and an Objective or Non-Self- or Thing- or Reality-factor, scholastics, as well as Kantists, admit. And if the Kantist conception of the *object* of knowledge as a 'product' or 'synthesis' of an unconscious, empty, mental 'form' and an extramental 'matter' merely gives expression to the commonplace truth that before the reality can be known it must be somehow received into, and elaborated by, and assimilated to the mind, and that it cannot otherwise be 'known' by the mind, the Kantian way of expressing this truism differs from the scholastic only in regarding the mind as forming the extramental reality into an *objectum intelligibile* by *clothing* the reality with certain mental modes or dispositions rather than by *denuding* it—after the manner described by the scholastics—into a collection of abstract aspects by the operation of the abstractive faculty.

That the process of 'knowing' involves some such step of 'mentalizing,' of assimilating the *objectum cognitum* to the *subjectum cognoscens* (in scholastic terminology), or, of clothing the 'material' of Reality with the 'form' of Thought (in Kantian terminology; though the scholastics had said something suspiciously similar long before Kant's time: *Quidquid recipitur, ad modum recipientis recipitur*): that all knowledge involves some assimilation of Thought and Thing—scholastics no less than Kantists contend.<sup>1</sup> But that this assimilation or union of the knowing mind with the 'reality' which is the '*datum*' or 'material' of knowledge, involves any falsification of that 'real *datum*' or precludes us from the possibility of 'knowing' it with a real, valid, genuine knowledge,—not perhaps adequate, but nevertheless accurate so far as it goes—no Kantist or other philosopher has ever succeeded in showing.<sup>2</sup>

<sup>1</sup> Cf. I. E. RECORD, May, pp. 483, 484; *supra*, p. 477.

<sup>2</sup> Cf. Rickaby, *loc. cit.*

Again, if the object of the sense-intuition were devoid of any material or real element 'from without,' I could understand a Kantist saying that sense-intuition does not put us into touch with reality; but, holding, as he does, that the sense-intuition contains a 'real' element 'from without' I confess I cannot understand his assertion that these 'forms' of his are inapplicable to the Real,—that is, to the *Extramental*<sup>1</sup> Real. It is this latter that becomes *mental*, becomes a 'phenomenon,' by the application of the forms; but it does not, on becoming a 'phenomenon' become thereby 'unreal' or even one whit less real than before the individual's mind was ever brought to bear upon it.<sup>2</sup>

Finally, if the fact that the sense-intuition and the judgment of the understanding have, as a partial constituent of their 'objects' a *real datum* (which I maintain to be 'extramental' and 'mental,' 'noumenal,' and 'phenomenal' alike)—if this fact does not avail to give the mind a knowledge of any extramental reality, it is hard to see how the mind is in any better condition in the possession of this purely 'phenomenal' knowledge than it is when it attempts to use its 'forms' for the very purpose of getting beyond these mental appearances and attaining to an extramental reality. This is the mind's natural ambition so to speak, its inborn yearning,—to get to a knowledge, a real, valid, reliable, knowledge, of something which, though necessarily 'mental' inasmuch as it is 'known,' is nevertheless also extramental in the sense that it is no *mere* subjective panorama of conscious appearances, no *mere* evolution of the conscious thought itself, but—a *Reality*.

## X.

'Man's *Speculative Reason* can never transcend itself to attain to Extramental Reality,' says the Kantist. 'It can know reality not *as* reality, but only as 'phenomenon.'

<sup>1</sup> 'Noumenal' in Kantian terminology.

<sup>2</sup> Cf. *supra*, pp. 476, 477.



'As a phenomenon of the individual mind?'

'No,' the Kantist replies, 'that would be *Solipsism*, whereas I *believe* in the existence of Reality other than my mind.'

'You *believe* in it as a dictate of your "*Practical Reason*," but you do not claim to *know* it *scientifically*, to have *established* its real existence outside your own individual mind, by the principles of *Speculative Reason*?'

'That is so; my *Speculative Reason*, with all its principles does not enable me to *know* scientifically or theoretically that anything Real exists outside the phenomena of my own consciousness, though it compels me to think that such extramental reality exists: and its suggestion,<sup>1</sup> followed up by my *Practical Reason*, proves to be well grounded.'

'So that although you might be accused of *theoretical Solipsism* you are *practically* and in your personal convictions a firm believer in Extramental Reality?'

'Not only so, but I object to being accused of Solipsism in any sense; for even the *Speculative Reason* *postulates*, though it cannot *prove*, Extramental Reality: not *Solipsism* but *Phenomenism of the Speculative Reason* is a proper description of my attitude.'

'But you hold that these "phenomena," in so far at least as they are *known* by you, "live and move and have their being" so to speak, solely within your consciousness? If you do not "know" that there is a real, extramental element in them (even though you admit yourself forced to "think" that there is), you are, so far as your knowledge goes, within the sphere of your own consciousness all the time?'

'I may appear to be, but I really am not; for my fundamental postulate was that I could not explain the evolution of *even my theoretical knowledge* without assuming an Extramental Reality. I contend that this Reality, although *implied*, is not *revealed*, in *speculative knowledge*, that it does not become a "phenomenon." The scholastic

<sup>1</sup> *Supra*, p. 474.

contends that it does ; and consequently the speculative knowledge that I call "phenomenal" or "limited to phenomena" he maintains to be "real" or "extended to extramental things." But how this knowledge which I call "phenomenal" and he calls "real" can be validly extended *beyond* "material" or "sensible" phenomena or (realities) so as to reach even realities that are "suprasensible," "immaterial," and accordingly "devoid of all sensible or material content": how such an attempt can lead us beyond the mere "formal" or mental necessity of "thinking" the three empty *Ideas* of *God*, the *Soul* and the *Cosmos*, or justify us in asserting that these are *realities*: that I utterly fail to see.'

'You are right, I believe, in thinking that the knowledge you describe as "phenomenal" the scholastic holds to be "real." He regards as chimerical any and every attempt to get at any knowledge—speculative or practical—of reality, except in so far as that reality reveals itself to his mind and becomes an object of his knowledge—an *objectum sensibilile* or an *objectum intelligibile*—a "phenomenon" or a "noumenon" to use two of your own terms in their etymological sense.<sup>1</sup> But he differs very materially from you in holding that the "phenomenon" of sense is the *extramental reality itself*, which has become mental: that the "phenomenon," the object of sense knowledge, is "real": nay, that it does not cease to be real even when it is apprehended by the understanding in an abstract state, when it becomes an *objectum intelligibile*, a "noumenon": that it furnishes the understanding with materials for the formation of certain necessary judgments which give the understanding *an insight into the nature of "reality"*: that, finally and most notably, when the understanding uses those principles to analyse the world of sense-phenomena and to infer therefrom the existence of realities that are *not phenomena themselves*, nor *directly* revealed to *sense*: when, in other words, in the light of these principles the understanding sees, and is forced to see (or to "think")

<sup>1</sup>Cf. I. E. RECORD, June, pp. 612, 616, 620, 621.

that in order to account rationally for the "phenomenal" realities of sense, there do and must exist "noumenal" or "intelligible" or "suprasensible" realities which itself alone detects; when the understanding does all that "thinking," it is not at all, as you Kantists seem to imagine, attempting some impossible sort of a "transcendental leap" from the sphere of "consciousness" or "mind" to the sphere of some imaginary "thing-in-itself" or "reality-out-of-all-connexion-with-mind."<sup>1</sup> Nothing of the sort. It is simply moving within the sphere of the Real; arguing from "phenomenal" reality to "noumenal" reality, not from "mental" reality to "extramental" reality, because the reality whether phenomenal or noumenal was and is from start to finish, throughout the whole cognitive process, *both* extramental *and* mental. It is *extramental* inasmuch as it is independent of the cognitive process and of the knowing self or subject, and is "given" either directly to the senses in sensation or indirectly to the understanding which sees it *involved in* and *implied by* the sense-data. It is *mental* inasmuch as "being known" involves being "assimilated or united with mind." For the rest, the scholastic freely admits that supra-sensible realities are known by the human mind not "properly" but only "analogically," that is, by means of concepts which have their proper application only within the world of sense.

## XI.

Here I must leave the dispute for the present. Whatever may be said about the adequacy or inadequacy of the constructive side of Kant's Philosophy—the theory of the Primacy of the '*Practical Reason*'—to banish the doubts and misgivings aroused by his critical analysis of the '*Speculative Reason*,' it is unfortunately true that these doubts have been aroused in the minds of many and have never been successfully dissipated. This may possibly be due to other causes than the

<sup>1</sup> *Ibid.*, p. 620.



intrinsic unsoundness of the whole Kantian position. Certain it is at all events that Kant's distinctions between the *Phenomenon* and the *Noumenon*, between the *Speculative* and the *Practical* Reason, have been for many the occasion if not the cause of shipwreck to their faith.

If I were to set down the main corollaries that flow from the former of those two distinctions I might simply repeat a page or two of the *Encyclical on Modernism*.<sup>1</sup> Here are a few examples: If the Speculative Reason of Man is confined within the world of *phenomena* it cannot prove the existence of God, nor the spirituality and immortality of the soul, nor the freedom of the will. Nor can God become in any way an object of human *science*, nor enter the domain of *history*, which, of course has to do only with 'phenomena.' Nor is there any possibility of *scientific* or *historic knowledge* or *proof* of Christian Revelation, or of the Incarnation or the Divinity or the Resurrection of Christ. For, science, being limited to 'phenomena,' abstracts from, and ignores the supra-sensible and is thus *agnostic* or *a-theistic*.

These are certainly alarming pronouncements. In the mouth of a Christian they are, we should be inclined to say, even shocking. Yet modernists contend that it is only the 'sound' of those phrases that can be at all described as in any way alarming: but that their sound is far worse than their sense: that in fact what they *mean* is not only quite harmless but quite compatible with the deepest and firmest faith in every single article of the Catholic Creed: a faith for which they themselves thank God in common with all the faithful, and of which they vehemently deny that they either have made or are in immanent danger of making shipwreck.

Without attempting for the present any analysis of the conflicting claims of 'Practical' Reason and 'Speculative' Reason, of *Voluntarism* and *Intellectualism*, to the position of Primacy in determining the ultimate ground of human belief and certitude, I will conclude by the reflection suggested above:<sup>2</sup> that when all is said and done,

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when philosophers, apologists, and theologians have all 'said their say,' it is man's *intellect*, his *understanding*, his *reason*, reflecting calmly on the grounds and motives of belief, that must deliver to him the ultimate dictate as to *what* and *why* he is to believe.

P. COFFEY.





18. Cé<sup>2</sup> atá a gcléir<sup>3</sup> bairíte, a n-eoin áille a mná,<sup>4</sup>  
 A bfuim um éiríod na maric,<sup>5</sup> maic a míg as rótaibairt.  
 9. Áille a mbearta buirde a bfuigle,<sup>6</sup> níor áitreasb  
 talam a ramail,<sup>7</sup>  
 Ní fearadair oíob éirí ná éirí, neac nac rial me  
 haioirí.  
 10. Iy iomúa éirí<sup>8</sup> laoc<sup>9</sup> leabair, iomúa<sup>10</sup> raot iy ríor-  
 galair,<sup>11</sup>  
 Iomúa fine fhu neacéirín, [iy] iomúa fíreán<sup>12</sup> cráib-  
 téac,  
 11. Iomúa éirí toirad ábla, iomúa Ríg ar Ríogúamna,  
 Iomúa áirí-easna feara, iomúa toiríe dair-meara.  
 12. Mar tá agam-ra an gíad, tá a<sup>13</sup> ríor, ué! iy uéan!  
 Rortairíabala<sup>14</sup> marí oíeaséirí, cionnur magba ar aen-  
 fearaib.  
 13. Círe, Éire ionmáin linn, mo éiméirí teacéirí a tuairim,  
 I noáil atá<sup>15</sup> Caimneac caoin, báirí<sup>16</sup> Cuiminn<sup>17</sup> iy<sup>18</sup>  
 Comgall.  
 14. Iy éirí atá bpeánuinn<sup>19</sup> binn, iy Colam<sup>20</sup> mac [Uí]  
 Ciuiméirín,  
 Iy éirí atá baetín<sup>21</sup> binn, iy éirí gémíor<sup>22</sup> dúam-  
 nán.<sup>23</sup>

<sup>1</sup> Verses 8 and 9 are given thus in Manus O'Donnell's Life of Colum Cille, Mur. MSS., Vol. 34, p. 234:—

Σαοτ' α' ελεψ, βινν' α' ηεοιν, αλλε μνά μιν ρεανόρ[ι]  
 ριαλ' α' ριρ ρά' επόθ' ζαν αιρε, μαίε' α' ριζ' ριαλ' α' τοοριβεαρτ  
 αλλε' α' μβεαρτα, βυρθε' α' βρυιτ, μαίε' α' ηαιρεαβ' τρυμ' α' τυιο  
 ηί' ρεαα' οιοβ' ριαρ' νά' ροιρ' νεαδ' νάε' ριαλ' α' τοοριβεαρτ.

Wise her clergy, melodious her birds, beautiful her women, gentle her old men;

Generous her men about riches without greed, good her king, generous in bestowing.

Beautiful their deeds, yellow, etc.

<sup>2</sup> See, A, B.

<sup>3</sup> cclέρη, A, B.

<sup>4</sup>  $\Delta$ mn $\Delta$  legible, also ll, with

apparently : before and after, and before that an abbrev., A ; alliamna, B.

<sup>5</sup> Syllable deficient.

<sup>6</sup> Two redundant syllables in line; om. *buiðe*?

<sup>7</sup> Redundant syllable.

8 JOHN. A.

<sup>9</sup> Laorch. B.

10 1r 10m<sup>o</sup>Δ, A, B.

<sup>11</sup> pingalaip, B.    <sup>12</sup> piopoon, A.    <sup>13</sup> om. A.    <sup>14</sup> so B, last syll. abbrev.

in A. 15 ἰτά, B.

16 *Uaipe, B.*

17 om. A.

18 *Asur*, A. 19 *Banan*, B.

<sup>20</sup> collam, B.      <sup>21</sup> bresnum, B.      <sup>22</sup> zengur, B.      <sup>23</sup> Δοαμνάν, A.

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15. Uéán, a Críóir, a míc Dé, a míc mhúire nár ród-  
élaon,  
Ní fuigítear—ní mád bréige—aeir cumtha a leitéirce.
16. Danam cairpreaó oia in í,<sup>1</sup> oim mo baó oilithe,  
Noó cairgimrí<sup>2</sup> uom óeóin, in Albain ina naineóir.<sup>3</sup>
17. Ir amla oruigim<sup>4</sup> rin, mo bia ašur mo beannaótain,  
A leaó for éirinn ró<sup>5</sup> reaó, a leaó for Albain a  
n-éimfeaó,<sup>6</sup>  
A leaó for Doire gan zó,<sup>7</sup> ašur a leaó for Gaed-  
laib.<sup>7</sup>
18. Ionmúin Dearmhás ir Doire, ionmúin Ráó baó coim-  
gile,<sup>8</sup>  
Ionmúin Oruim Tuama ir mó meaf, ionmúin Sóro  
Saióire ir Easlaip.<sup>9</sup>
19. Ionmúin Oruim Cliaib meam<sup>10</sup> óroirce, ril tiar aš  
tráig loó Gaile,  
Feaóain<sup>11</sup> loóa feabail rin, zo n-a ealaib ir  
aoibinn.<sup>12</sup>
20. Beir imcomairce<sup>13</sup> uaim co lí, zo Coimšall zo  
bfailetim,<sup>14</sup>  
Iomcomairce uaim na óiaig,<sup>15</sup> zo loó feaóa rionn  
feabail.<sup>16</sup>
21. Beannaóó<sup>17</sup> uaim ar loó feabail, beannaóó for a  
rionn-trioáib,  
Baó ruairce liom ceol a h-éan-mbinn, beir ar a feóir  
baó haoibinn.
22. Ir aipe cairaim Doire, ar a réirce a ró-šláine,  
Ir lomlán [a] Aingeal mbinn, eiriom ó cinn co  
apóile.<sup>18</sup>

<sup>1</sup> m.<sup>2</sup> cairgairce, B.<sup>3</sup> sic, A.; i ias naineoi, B.<sup>4</sup> ró óruigim, A; oiruirce, B.<sup>5</sup> fá, B.<sup>6</sup> Redundant syllable.<sup>7</sup> These lines not in A.<sup>8</sup> bo comgeall, B; leg. Ráóboó?<sup>9</sup> S. ir

S., ir, B.

<sup>10</sup> leam, B.<sup>11</sup> regano, B.<sup>12</sup> aeibino, B.<sup>13</sup> iomcomairce, A.<sup>14</sup> Syll. deficient in both MSS.<sup>15</sup> aeash, B.<sup>16</sup> rionnfaibail, B.<sup>17</sup> beannaóótim.<sup>18</sup> These two quatrains read thus in Manus O'Donnell's Life Colum Cille, Mur. MSS., Vol. 34, p. 139:—

ar lomlán na n-aingeal bfin

ó éann zo róirce apóile.

23. 1r aipe éaraim Doine, ar a péiré mó-ghlaine,  
 Amgéal fíl ann <sup>1</sup> gac uille, fíll a nDoine cátharac.
24. Eipe ní fearrúe cac aen,<sup>2</sup> dom lear nór eil a  
 tréigíon,  
 Doibinn<sup>3</sup> a fairge ra<sup>4</sup> fear, fogur Doine mó-bheag  
 ríéim.<sup>5</sup>  
 Beit a nAlbain uaité a bfas,<sup>6</sup> leam éiríúe anocht<sup>7</sup>  
 neam-duibinn.  
 Doibinn Beit a mBeinn Éadair.

## [TRANSLATION.]

1. It is delightful to be in Beann Eadair, after going over the strong sea,  
 The beating of the wave against houses, the lying of ships by its coast.
2. Delightful to be in Beann Eadair, before going over the fair, clean sea,  
 To be rowing in a curach, and be looking at its noisy waves.
3. I am Colum who steppeth a step, and not a step on a rock is it,  
 In Beann Eadair I was yesterday, and now Iona is my pilgrimage.
4. I am Colum who steppeth a step, and it is not . . . . step,  
 In Beann Eadair I was yesterday, now on Fennor's strand.
5. In my meeting with all Alba, I am thankful to my lord . . .  
 Gloomy methinks is my mind to-day, after parting with the Gaels.
6. Man who goeth westwards, say for me, to the bright lads of the Gaels:  
 'Be not on the judgment of Molaise, revere not his idle presumption.'

<sup>1</sup> in, B.    <sup>2</sup> do éi hi follows aen in both MSS.    Read (?) fearrúe cac aen do éi í, taking Éipe as a gloss on í.    <sup>3</sup> 1r doibinn, A, B.    <sup>4</sup> 1r a, A, B.    <sup>5</sup> fear, A,    <sup>6</sup> r mé casí follows a bfas in both    <sup>7</sup> anocht r, A, B.



7. 'My blessing on you,' say in the west, my heart is swollen  
in my breast,  
If I should go to death—fate for me, it would be for the  
greatness of love for Gaels.
8. Though their clerics are vain, their birds are beautiful, their  
women,  
Their men in possessions of horses, good their king in great  
bestowal.
9. Beautiful their deeds, their words,<sup>1</sup> their like possessed not  
the earth,  
I know not one of them, west or east, who is not hospitable  
to guests.
10. In the east is many a lithe hero, much labour and constant  
disease,  
Many a tribe against Neachtain (?), many a devout righteous  
one.
11. Plenteous in the west is the fruit of the apple tree, many a  
king and royal heir,  
Much high wisdom of knowledge, many an oak wood with  
fruit of the oak.
12. The state of the love I have is known, alas ! woe is me ! <sup>2</sup>  
. . . . .
13. Ireland, Ireland is dear to me, I am asked (?) to go towards  
it,  
Into the meeting where are pleasant Cainneach, Barra,  
Cuimin, and Comgall.
14. In the west is melodious Brenainn, and Colam mac Ui  
Crimthann,<sup>3</sup>  
In the west is melodious Baethin, in the west Adamnan  
shall arise.
15. Alas, O Christ, O Son of God, O Son of Mary, who was not  
prejudiced,  
There are not found—it is no false statement—companions  
like to them.

<sup>1</sup> In Manus O'Donnell's *Life of Colum Cille* (Mur. MSS., Vol. 34) *buidé a bfuilte* are the words, i.e., yellow is their hair.

<sup>2</sup> The next line is unintelligible to me.

<sup>3</sup> Cf. *Martyrology of Donegal* and also *Féilire Aengusa*, Dec. 13: 'Colum creonach t'ipe, .i. Colum mac Crimthain ó t'ip dā glar i'pín muidin.'

16. If a day should come to me in Iona, that I should be in pilgrimage,  
May I not come of my will in Scotland of the . . . .
17. It is thus I arrange that, my life (?) and my blessing,  
Its half on Ireland seven times, its half on Scotland once ;  
half of it on Derry without a lie, and half on Gaels.
18. Beloved are Durrow and Derry, beloved Raphoe of beauteous brightness,  
Beloved Druim Tuama of greatest fruitcrop, beloved Swords, Saighre, and Aglish.
19. Beloved by my heart is Drumcliff, which is in the west at the strand of Loch Gill ;  
The sight of fair Loch Foyle with its swans is pleasant.
20. Bear inquiries from me with splendour to Comgall with joy,<sup>1</sup>  
A message from me thereafter to gentle, fair Loch Foyle.
21. A blessing from me upon Loch Foyle, a blessing on its fair streams,  
Delightful to me would be the music of its melodious birds,  
delightful would it be to be on its grassy banks.
22. It is therefore I love Derry, for its smoothness, its great purity,  
And from the number of bright angels from one end to the other.<sup>2</sup>
23. It is therefore I love Derry, for its smoothness, its great purity,  
Of the angels who are in every leaf that is in honoured Derry.<sup>3</sup>
24. Everyone who sees it (i.e., Ireland) is the better therefor, leaving her did not hide . . .  
Pleasant her sea and her grass, near to Derry of lovely beauty ;  
To be in Scotland far from her to-night is grievous to my heart.

When the poem 'Eóðar cúlle,' etc.,<sup>4</sup> had been already set up in print I discovered that Dr. Kuno Meyer,

<sup>1</sup> Read go páirt (acc. of páirt), to preserve Comhardadh.

<sup>2</sup> The word eipiom is, I think, corrupt.

<sup>3</sup> Códarac violates metre and grammar. Read cóðarac, and in previous quatrain ouilleóis

<sup>4</sup> See last number of I. E. RECORD.

to whom thanks are due from Irishmen for his great service to Irish literature, had already published the poem in *Zeitschrift für Celtische Philologie*, vi. band, 2 heft, p. 270, from several MSS., viz.: YBL, 420 b; H 318, 37; 23 G 3, 37; 23 G 25, 13. These versions prove that the Murphy MSS. copy, as given above, is very imperfect.

I give here the poem as edited by Dr. Meyer, who does not translate it :

1. Eoðair céille coirtech, eoðair fírice rámuo,<sup>1</sup>  
Eoðair ecna umla, eoðair cunola crábuo.
2. Eoðair maíha mochruth, eoðair rochma<sup>2</sup> raibne,  
Eoðair noibe<sup>3</sup> náire, eoðair áille ainmne.
3. Eoðair fírice fúarait, eoðair athóir écta,<sup>4</sup>  
Eoðair raínte roiréur,<sup>5</sup> eoðair éoiréur<sup>6</sup> técta,
4. Eoðair gníma gairce, eoðair amra<sup>7</sup> ailech,  
Eoðair mure<sup>8</sup> mellga, eoðair engnam<sup>9</sup> enech
5. Eoðair uairle éta, eoðair éarair cennad, <sup>10</sup>  
Eoðair uairi<sup>11</sup> uana, eoðair buada bennad.
6. Eoðair feidm<sup>12</sup> ferann, eoðair aile<sup>13</sup> opao,  
Eoðair comair coinnme, eoðair éorben cocao.
7. Eoðair oíbe oíulta, eoðair feilbe peccao,  
Eoðair ferpa féile, eoðair péine peccao.
8. Eoðair tána taíre, eoðair timme tece, <sup>14</sup>  
Eoðair uairle áirre, eoðair báirre biefel.
9. Eoðair tnúta<sup>15</sup> tiebao, eoðair uotla uáirur,  
Eoðair cumainn<sup>16</sup> cuibne, eoðair fuirge fúarur.
10. Eoðair ferrá foglam, eoðair éta anble,  
Eoðair cipte<sup>17</sup> comainn, eoðair uogmaing<sup>18</sup> uairne.

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1 feram farad, G.      2 roair, YBL.      3 naime, YBL.;  
neime, H.      4 echair uadta, H.      5 raibneur, Y.      6 éoiréur, Y.  
7 amra, Y.      8 mille, G.      9 o'engnam, G.      10 cennad, G.  
11 uára, H.      12 feidm, Y; feide, H.      13 aile, G.      14 air, G;  
íre, H.      15 tnúte, H.      16 comain, Y.      17 ceirte, H; ceille, Y  
18 uogmaing, Y.



- II. Εοέσαι λιύσα λύαρωαέτ, εοέσαι congσαι cuitpuo,  
 Εοέσαι πορρίαιν πορλονν, εοέσαι comlann <sup>1</sup> cuitbiuo.  
 I2. Romoítne <sup>2</sup> Δια οίλερ, αμ ιρερnn πεγ πεοέσαι  
 ηά πορ αρρ <sup>3</sup> mo πίανασ, γλαρρ πο ηιασασ <sup>4</sup> ο'εοέσαι.

E.

## GLOSSARY.

1. γαμυο, repose. coitrecht, hearing. cunola, wisdom.  
 2. δινμνε, patience. noibe .i. naomtaéta.  
 4. αμρs, service as a mercenary. mellgal, blundering? engnam, skill  
 at arms.  
 7. οίβε, denying, refusing, niggardliness. Aisl. Meyer.  
 9. For oocla *leg.* oochle, of surliness, inhospitality; or oochta, tightness,  
 meanness. Aisl.  
 10. παροβρε, poverty.  
 11. λιύσα, g. of λιυο, lawsuit. Wind.? λύαρωαέτ?

Tomár ua Nualláin.

<sup>1</sup> comhlunn, G.    <sup>2</sup> romance, H.    <sup>3</sup> í, H.    <sup>4</sup> cen iasas, H;  
 οά iasas, G; γά iasasas, G.

# Notes and Queries

## THEOLOGY

### MATRIMONIAL CASE—DISPARITAS CULTUS

REV. DEAR SIR,—Will you kindly give your opinion on the following case which was proposed for discussion at a recent conference of the clergy:—

‘Titius acatholicus baptizatus et Caia acatholica non baptizata matrimonium coram iudice civili inierunt. Post vitam autem matrimonialem trium annorum Caia baptizata est in secta Methodistica. Deinde completis tribus aliis annis vitae conjugalis et divortio civili a Caia obtento, Titius matrimonium cum Sempronia, puella Catholica, contrahere desiderat.

‘Quaeritur utrum Titius cum Sempronia matrimonium valide contrahere possit.’

U.S.A.

There are three questions involved in the case proposed for solution by my American correspondent. (a) How far are baptized non-Catholics bound by the diriment impediments of ecclesiastical law? (b) Is Baptism of the unbaptized party sufficient of itself—without any renewal of consent—to validate a marriage which was invalid by reason of the impediment of disparity of worship? (c) If renewal of matrimonial consent is necessary does living together as man and wife virtually contain it?

(a) To the first question only one reply is possible. Baptized non-Catholics are bound by the diriment impediments of the ecclesiastical law except in so far as exemption is conceded in case of a particular impediment such as clandestinity which does not now affect non-Catholics marrying one another. Thus Benedict XIV, in his ‘Declaration’ of 1741, stated that marriages contracted in Holland between heretics, or between a Catholic and a heretic are valid, ‘dummodo tamen non obstiterit aliud canonicum impedimentum.’ In the Constitution *Singulari*

*Nobis* (February 9, 1749), Benedict XIV declared invalid a marriage between a Jew and a heretic because though heretics are separated from ecclesiastical unity they are not 'free from the authority and the laws of the Church.' In the different Formulæ which the Bishops receive from the Holy See, power is given to dispense in certain ecclesiastical impediments for marriages already contracted, not only in the case of Catholics but also in the case of converts whose marriages were celebrated before conversion. This clearly shows the mind of the Sacred Congregations on the question. Hence it is that nowadays theologians and canonists unanimously maintain that baptized non-Catholics are subject to the ecclesiastical impediments, except in case of clandestinity for which special legislation has been promulgated.

(b) To the second question a negative reply must be given; baptism of the unbaptized party is not of itself—without a renewal of matrimonial consent—sufficient to validate a marriage which was invalid owing to the impediment of disparity of worship. In two ways a matrimonial impediment can cease. Impediments of the ecclesiastical law can be removed by a dispensation obtained from legitimate authority. Impediments both of the natural and of the ecclesiastical law can cease at times by change of circumstances. Thus the impediment of ligamen ceases at the death of the first husband or wife; and the ecclesiastical impediment of age ceases by lapse of time. In case of ecclesiastical impediments which cease by reason of a legitimate dispensation a renewal of consent is required unless a *sanatio in radice* is granted. The very fact that a *sanatio in radice* is at times conceded proves that in cases of an ordinary dispensation a renewal of consent is necessary for the revalidation of the marriage, not indeed by the natural law, but only by ecclesiastical law. Moreover, it has been frequently decided by the Holy See that a similar renewal of consent is necessary in the case of such impediments as ligamen and age; and from this we legitimately draw the general conclusion that a renewal of consent is required whenever an impediment ceases by change of circum-



stances ; so that the mere baptism of the unbaptized party, which removes the impediment of disparity of worship, is not of itself sufficient to validate the marriage. Nor can it be said that baptism virtually contains a renewal of matrimonial consent, because there is no part of the baptismal ceremony which points to such renewal, because not even a suspicion of the invalidity of the previous marriage need accompany the ceremony of baptism, and because the consent of the party already baptized, which was directly invalidated by ecclesiastical law, is not affected by the baptism of the other party.

(c) Does living together as man and wife implicitly contain a renewal of matrimonial consent ? If the parties knew of the invalidity of their marriage then, indeed, living together as man and wife would contain such renewal of consent, since the parties by living together would give a consent to matrimonial life which is completely independent of the consent formerly given. The same would probably be true if the parties had even a suspicion of the invalidity of the previous marriage. But if not even a suspicion of the invalidity of the former marriage entered their minds, living as man and wife would imply merely a continuance of the original consent, and would, in consequence, not be equivalent to a new and independent matrimonial consent.

In regard to revalidation of the invalid marriage of heretics, the law of clandestinity does not now, after the publication of the decree *Ne Temere*, prevent a private renewal of consent from revalidating the marriage ; nor was the presence of the parish priest and two witnesses formerly required for the revalidation of the marriage, even though the impediment happened to be public, such as disparity of worship usually is, in those countries like the United States of America and Ireland, in which heretics were not bound by the law of clandestinity. Hence the private renewal of consent would suffice in such cases for the revalidation of marriage rendered invalid by the impediment of disparity of worship which has ceased by the baptism of the unbaptized party.

So far we have seen that heretics are bound by impediments such as disparity of worship; that the removal of the impediment by the baptism of the unbaptized party is not sufficient, without a renewal of matrimonial consent, to revalidate the invalid marriage; and also that living together as man and wife does not virtually contain a renewal of matrimonial consent when the parties have no suspicion of the invalidity of their marriage. We are now in a position to reply to the particular case proposed for discussion.

The marriage of Titius and Caia was invalid, because Titius was bound by the diriment impediment of disparity of worship. The marriage was not validated by the baptism of Caia, because the mere removal of the impediment, without any independent renewal of matrimonial consent, is not sufficient to revalidate the marriage. The marriage was not revalidated by the fact that Titius and Caia lived together as man and wife after the baptism of Caia, because apparently they had no suspicion of the invalidity of their marriage; and in this connexion it is well to note that the Holy See usually demands that the party seeking a new marriage make oath that they did not know of the invalidity of their former marriage. We conclude, consequently, that the marriage of Titius and Caia was never a valid marriage, and that Titius is free to marry Sempronia.

This conclusion is confirmed by a case which was decided in 1899, by the Holy Office:—

*Beatissimo padre,*

Amalia protestante non battezzata sposò Giovanni protestante battezzato; durante il matrimonio, Amalia fu battezzata nel Protestantismo e visse col marito per qualche tempo. In seguito Amalia conobbe che Giovanni aveva rapporti illeciti con una donna; perciò lo abbandonò, e dopo qualche tempo ottenne dal tribunale civile il divorzio *ex capite adulterii* da parte del marito. Ora Amalia domanda il permesso di contrarre seconde nozze con un cattolico.

Si noti che i protestanti non conoscono che il matrimonio tra battezzato e non battezzato sia nullo.

Cio posto, l'Arcivescovo N.N., prostrato ai piedi della S.V., umilmente chiede:

Stante l'ignoranza della nullità del matrimonio *ex capite disparitatis cultus*, la vita maritale di Amalia con Giovanni invalidò il matrimonio dopo il battesimo di Amalia?

Che ecc.

*Fer. IV, die 8 Martii, 1899.*

In Congregatione Generali coram EEmis. ac RRmis. DD. Cardinalibus in rebus fidei fidei et morum Inquisitoribus Generalibus habita, proposito suprascripto dubio, praehabitoque RR. DD. Consultorum voto, iidem EE. ac RR. Patres respondendum mandarunt :

*Praevio iuramento ab Amalia in Curia N.N. praestando, quo declaret matrimonium contractum cum Joanne post baptismum ipsius Amaliae, ab iisdem, scientibus illius nullitatem, ratificatum non fuisse in loco ubi matrimonia clandestina vel mixta valida habentur, et dummodo R. P. D. Archiepiscopus moraliter certus sit de asserta ignorantia sponsorum circa impedimentum disparitatis cultus, detur mulieri documentum libertatis ex capite ipsius disparitatis cultus.*

Sequenti vero Fer. V die 9 ejusdem mensis et anni SSmus. D. N. Leo PP. XIII, per facultates Emo. Cardinali huius Supremae Congregationis Secretario impertitas, resolutionem EE. ac RR. Patrum adprobare dignatus est.

I. MANCINI, S. R. et U. Inquisit. Notarius.

#### PROMULGATION OF PONTIFICAL CONSTITUTIONS AND LAWS

To be binding, a law must be promulgated, and in the case of ecclesiastical laws the kind of promulgation to be given depends on the will of the ecclesiastical legislator. Save exceptional cases, laws of the Holy See were deemed sufficiently promulgated for the whole Church by affixing copies to certain public places in Rome, such as the doors of St. Peter's and St. John Lateran's. In former times there was some controversy as to the sufficiency of this method of promulgation; Billuart maintained that unless the contrary were stated, promulgation throughout the different dioceses of the Church was necessary, but theologians commonly held that promulgation in Rome was sufficient for the whole Church except in those cases for which different provision was made. In recent times this



opinion was rightly looked on as certain by theologians and canonists.

By the Constitution *Promulgandi pontificias Constitutiones* of Pius X, dated October 3, 1908, a new kind of promulgation is declared necessary and sufficient for Pontifical laws and acts. From the beginning of 1909, an Official Gazette will be published from the Vatican press; in this commentary promulgation of pontifical laws will be made; and this promulgation will be sufficient for the whole Church, unless it be otherwise provided in particular cases:—

Re igitur mature perpensa, adhibitisque in consilium aliquot S. R. E. Cardinalibus, Antistitum, quos diximus, excipienda vota rati, auctoritate Nostra Apostolica, harum Literarum vi, edicimus, ut, ineunte proximo anno 1909, Commentarium officiale de Apostolicæ Sedis Actis edatur Vaticanis typis. Volumus autem Constitutiones pontificias, leges, decreta, aliaque tum Romanorum Pontificum tum sacrarum Congregationum et Officiorum scita, in eo Commentario de mandato Praelati a secretis, aut majoris administri ejus Congregationi vel Officii, a quo illa dimanent, inserta et in vulgus edita, hac una, eaque unica, ratione legitime promulgata haberi, quoties promulgatione sit opus, nec aliter fuerit a Sancta Sede provisum.

This new legislation, it is well to remember, does not do away with the power, which Bishops have heretofore enjoyed, of suspending the binding force of any laws which they consider unsuitable for their dioceses, until the Holy See get an opportunity of examining the peculiar circumstances of the case.

J. M. HARTY.

## CANON LAW

### VICARS-GENERAL AND SOME FACULTIES OF FORM. VI

REV. DEAR SIR,—In your exposition of the powers of a Vicar-General regarding the Formula VI, in the I. E. RECORD of February, 1907, you write: 'A Vicar-General may sub-delegate those faculties (of the Formula VI) either in general or particular, save if such delegation be expressly forbidden,

or if a particular faculty instead of an act of jurisdiction be only a *nudum ministerium* which is always personal and given *ratione industriae personae*.'

Now among the faculties of the Formula VI are: '(15) *Celebrandi Missam in quocumque loco decenti, etiam sub dio, sub terra, una hora ante auroram, et alia post meridiem, bis in die, si necessitas cogat.*' '(25) *Delegandi simplicibus sacerdotibus potestatem benedicendi paramenta, et alia utensilia ad Sacrificum Missae necessaria, ubi non interveniat sacra unctio.*'

Kindly say, in next number of I. E. RECORD, if a Vicar-General can delegate these faculties; and if they include the blessing of pyxis, and oblige,

Yours faithfully,

V.-G.

The early portion of this query, where our doctrine is quoted with regard to the subdelegation of the faculties of the Formula VI, seems at first as if it would lead to the asking of the question whether a Vicar-General has power of subdelegating the faculties of the Formula VI, contained under nn. 15 and 25; but the conclusion of the case clearly shows that the question regards only the acquisition and exercise of the above-mentioned faculties, and we answer it in that sense, believing it to be the meaning intended by our respected correspondent.

We are of opinion that the powers of the Formula VI, already quoted, are no exception to the general rule that hereafter all habitual faculties such as those of the formulas, which were or will be delegated to bishops by the Holy See, can be exercised by Vicars-General, *durante munere*, as well as by Vicars-Capitular, *sede vacante*. For the decree introducing this new legislation speaks in the most absolute and general terms, and grants Vicars-General and Capitular power over *all* habitual apostolic delegated faculties without any exception. This decree says: '*Facultates omnes habituales in posterum committendas esse Ordinariis locorum.*'<sup>1</sup> And this is true also of faculties previously conceded to Bishops by the Holy See. In fact, a subsequent decree enacts: '*Declarationem S. Officii factam circa*

<sup>1</sup> S. Congr. S. Off., 20 April, 1898.

facultates concedendas . . . extendendam ad facultates iam antecedenter concessas, facto verbo cum SSmo.'<sup>1</sup>

The only exception to be made to that general rule is if Vicars-General are expressly excluded from the participation of those faculties; then, the presumption afforded by the general wording of the decree will be superseded by the explicit declaration to the contrary. But we say *expressly*, because it has been decided that although in some cases Vicars-General might seem implicitly excluded for the reason that only Bishops are named in the decrees granting these habitual powers, yet they partake of and may exercise those faculties. And again, if there be a doubt as to the powers of Vicars-General in this respect, the decision must always be in favour of their acquisition of these faculties, as they have with them the presumption of law, and may, therefore, use them *tuta conscientia* until the contrary be proved. Needless to add that Vicars-General do not acquire faculties delegated to Bishops which are not in any sense powers of order or jurisdiction, but simple commissions for the execution of some rescript or favour; or if acts of order are of such a kind that can be performed only by Bishops on account of their episcopal character, such as conferring of sacred orders, consecration of churches, and the like.

Moreover, faculties habitually delegated like those of the Formula VI, are so many privileges and favours accorded to Bishops by the Holy See; and it is a greater privilege still to have them extended to Vicars-General. Favours of that sort, especially if not interfering with *iura quaesita*, or with existing legislation, are to be liberally interpreted. Hence, if a general concession bears no signs of limitations made by the superior himself, it is a sure indication that he did not wish to have any, according to the maxim of law, 'Superior quod voluit dixit, quod noluit tacuit.'

A reason for a doubt as to the extension to Vicars-General of powers contained in n. 15 of the Formula VI, may be that some Canonists, and the decrees nn. 101 and 109

<sup>1</sup> *Ibid.*, 23 Junli, 1898.



of the Maynooth Synod, attribute only to Bishops the power of examining the motives for bination and for giving permission to priests of saying Mass in places and circumstances specified in the aforesaid number of the Formula. But, in the first place, Benedict XIV and the Congregation of Propaganda<sup>1</sup> made quite clear that the power of verifying the causes for bination belongs to Ordinaries, and, secondly, that in the decrees of Maynooth Synod under consideration Bishops are said to give such a permission but not to the exclusion of Vicars-General who have of late acquired the same privilege.

Nor can it be urged that the powers of article n. 15 of the Formula VI are personal privileges of Bishops, or privileges exclusively attached to their episcopal office, for such a reason may have some weight in case of delegation, but not in case of acquisition of those privileges after special concession and extension made by the Superior.

As to the power of delegating the blessing of sacred vessels and vestments there seems to be more reason for doubting whether, in virtue of the recent legislation, that power is in this country extended to Vicars-General. That blessing is reserved to Bishops who cannot delegate it without permission from the Holy See, and it would appear as if only Bishops could give such a delegation after having obtained permission from the Roman authorities. But it must be remembered, in the first place, that we are concerned here with the blessing and not with the consecration of religious articles; a blessing which is not reserved to Bishops on account of their episcopal character and which may, by special permission of the Superior, be delegated to single priests; and, again, rather than the act of order of blessing those articles reserved to Bishops, we have at present under consideration the act of jurisdiction of delegating such a blessing reserved to the Holy See, a power which the Roman authorities may return to the Bishop from whom Papal reservation had withdrawn

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<sup>1</sup> Benedict XIV, *Declarati nobis*, § 9; S. Congr. de Prop. Fide, 24 Ma<sup>i</sup>, 1870.

it, or concede to any ecclesiastic who is capable of exercising jurisdiction *in foro externo*, even independently of the fact whether he belongs or not to the episcopal rank.

This doctrine has received an authentic confirmation from the Holy Office. This Congregation, upon application from a Vicar-Capitular, decided that the power of delegating the blessing of sacred vestments, habitually conceded to Bishops by the Holy See, is to be considered as one of those special apostolic faculties which pass to Vicars-Capitular, and which, we add, may be also exercised by Vicars-General *durante munere*, according to the decrees of the same Congregation quoted above.<sup>1</sup> This conclusion squares also with the view of such an eminent Canonist as Cardinal Gennari. He was asked this very question about the extension to Vicars-General of the power of delegating the blessing of sacred vestments when it has been *habitualiter* granted to Bishops by the Holy See, and he had no hesitation in replying in the affirmative, adding that there is no exception made in the decree of the Congregation dealing with this new concession, and that this is a favour which demands a liberal interpretation.<sup>2</sup>

But does the faculty of blessing vestments and other articles necessary for the sacrifice of Mass embrace the power of blessing the pyxis? It is beyond doubt that it includes the power of blessing not only the pyxis but also the lunette and the monstrance, if the latter is going to be blessed. All Canonists and Rubricists are at one in holding the doctrine that the words *paramenta et utensilia* are to be explained with some latitude to mean and include all vest-

<sup>1</sup> 'II. Utrum facultas . . . delegandi ad sacra paramenta benedicenda, quae Episcopis fuit concessa, transeat etiam ab eorum morte vel a munere cessationem ad successorem Vicarium Capitularem, quamvis Episcopali dignitate non insignitum.'

S.C.S. Ofic., 3 Maii, 1899, R. ad II., *Affirmative*.

<sup>2</sup> 'Q. Può questi — il Vic. Gen. — usare delle facoltà concesse al vescovo . . . di suddelegare la benedizione delle suppellettili e sacre immagini?'

'R. Col cit. decreto approvato dal S. Padre, fu stabilito che tutte le facoltà abituali concesse e da concedersi ai Vescovi, s'intendono *eo ipso* concesse pure ai Vic. Gen. senza nessuna eccezione.'—Gennari, *Quis?* Can., ii., p. 226.

ments, clothes, and utensils which, either immediately and approximately, or mediately and remotely, are connected with the Holy Sacrifice of Mass, and the Sacrament of the Altar. Hence, they say, that expression must be interpreted to mean also the tabernacle, '*seu vasculi pro Sacrosancta Eucharistia conservanda*,' as the Roman Ritual explains it. And more explicitly Craisson : '*Pixis quidem consecrari non debet sed . . . est benedicenda, prout etiam lunula ostensorii, quoad vero ipsum ostensorium decet saltem ut benedicatur. Haec autem tria benedici possunt ab iis qui habent facultatem sacra paramenta benedicendi.*'<sup>1</sup>

#### HOLY COMMUNION IN PRIVATE ORATORIES

REV. DEAR SIR,—Can all persons assisting at Mass in private oratories receive Holy Communion? I have before me a small book which gives a list of Papal privileges which may be obtained through the Roman Congregations, and I notice that in order to get permission of distributing Holy Communion in private oratories it is necessary to have recourse to Rome, and send the application to the Secretary of Briefs or to the Congregation of Propaganda for Missionary countries. Does this mean that Bishops have not powers of granting such a permission? An answer will oblige.

PRESBYTER.

It was formerly a controverted point of ecclesiastical discipline whether Holy Communion could be distributed to all persons who assisted at Mass in private oratories, and who wished to receive the Sacrament of the Altar; and the more common opinion maintained that for that purpose no special permission of the Superior was of necessity. It was pointed out, in fact, that while no general law of the Church prohibiting distribution of Holy Communion in private oratories was in existence, the Council of Trent, on the contrary, wished to see all the faithful make, not only spiritual but also sacramental Communion whenever assisting

<sup>1</sup> Craisson, iii., p. 93; De Herdt, i., n. 173; Pighi, c. ii., n. 20, etc.



at Mass, irrespective of the place where it was celebrated.<sup>1</sup>

Canonists, however, agreed in holding that diocesan Superiors had the power of prohibiting, in their dioceses, the distribution of Holy Communion in private oratories if local circumstances demanded the adoption of such a restrictive measure; and that the Sacrament of the Blessed Eucharist could not, in those cases, be distributed in private oratories without special permission of the Ordinary. In fact, prohibitive laws of that character were made by Lambertini, Archbishop of Bologna, afterwards Benedict XIV, and by other prelates after him, and it was at that time the practice of asking the Ordinary's permission to distribute Holy Communion in private oratories was introduced into the Church, a practice which was afterwards continued and maintained, and which eventually became a general discipline of the Church. Hence, modern Canonists without making allusion to the past controversy and ecclesiastical discipline, absolutely write that an Indult of private oratory does not contain the permission of dispensing the Sacrament of the Blessed Eucharist, for this a special license of the Ordinary being of necessity. '*Indultum apostolicum,*' says Wernz,<sup>2</sup> '*celebrandi Missam in oratorio privato ad Sacramentum Eucharistiae sine speciali Episcopi licentia dispensandum . . . non est extendendum.*'

Later still, a more rigorous discipline was introduced to the effect that the permission of the Ordinary to receive Holy Communion in private houses was restricted to those who enjoyed the Indult of private oratory, and that to other persons assisting at Mass Holy Communion could not be distributed without special permission of the Apostolic See. '*Sine speciali indulto Apostolico,*' writes Berardi, '*Eucharistica ministrari nequit (in privatis oratoriis) et licentia Episcopi hodie non sufficeret.*' And this latest development of ecclesiastical discipline on the point we are

<sup>1</sup> 'Optaret quidem Sacrosancta Synodus ut in singulis Missis fideles non solum spirituali affectu sed Sacramentali etiam Eucharistiae perceptione communicarent.'—Conc. Trid., Sess. 22, c. 6; Parayre, *Des Châp. Domestiques*, p. 83; *Clericato in decis*, 7; *De Sacr. Euch.*

<sup>2</sup> Cf. Wernz, iii., p. 458; St. Alph., vi., 360, etc.

dealing with was recently confirmed by the Congregation of Rites, in the following decree :—

1) An liceat Sacram Communionem in Oratoriis, privatis, de Ordinarii tantum licentia, indultariis ministrare. *Resp.* Affirmative.

2) Utrum non tantum indultariis sed etiam fidelibus Sacro adstantibus in praedictis Oratoriis Sacra Communio ministrari possit. *Resp.* Negative, nisi adsit Indultum Apostolicum.<sup>1</sup>

However, those strictures as to the administration and reception of Holy Communion were not well in keeping with the wishes of the Fathers of the Council of Trent, and with the ardent desire of the present Holy Father, of seeing all persons assisting at Mass partake of the Sacrament of the Altar. It is well known how he has recently encouraged frequent and daily Communion. He issued first a decree in which after recommending that salutary and holy practice he laid down definite rules to ensure its proper use, and prevent possible inconveniences and abuses ; commanding, at the same time, silence on Catholic writers who used to discuss that point of ecclesiastical discipline not always within the bounds of moderation and Christian charity. Subsequently in a later enactment he recommended the same practice to children after First Communion, and made also a liberal concession, under well-defined conditions, to sick persons who are unable to observe the fast prior to the reception of Holy Communion.

Finally, a year ago, in a decree dealing with this question, he was pleased to enact and declare that in all Indults of private oratories, the faculty of distributing Holy Communion to all persons assisting at the Sacrifice of the Mass must henceforth be understood as always included, provided parochial rights, i.e., the right of administering Holy Viaticum and Paschal Communion, be safeguarded : ‘ SS. D. N. Pius PP. X. . . statuere ac declarare dignatus est ut in Indultis oratorii privati intelligatur inclusa facultas

<sup>1</sup> S.R.C., 10 Feb., 1906 ; Berardi, *Theol. Mor.*, p. 680 ; *Secr. Brevium apud Eph. Liturg.*, x., p. 223 ; *Ami du Clerge*, an. 1898, p. 781.

Sacram Communionem distribuendi iis omnibus Christifidelibus, qui Sacrificio Missae adsistunt, salvis iuribus parochialibus.'<sup>1</sup>

**WHEN AND HOW VICARS-GENERAL CAN INTERFERE WITH MATRIMONIAL DISPENSATIONS SENT TO THE BISHOP BY THE HOLY SEE**

REV. DEAR SIR,—You will greatly oblige by answering the following question: A Bishop has simultaneously got from the Holy See a number of dispensations for several matrimonial cases. Can his Vicars-General, in force of the powers lately conferred on them from the Holy See, carry out any of those dispensations?

M. D.

It is evident that the Vicars-General cannot fulminate any of those dispensations sent to their Bishop. This is not a case of Apostolic habitual faculties of dispensing conceded to the Bishop, faculties which can be also used by his Vicar-General; but of dispensations already granted by the Holy See with the *nudum ministerium* of their execution committed to the Bishop. Now it is well known that when a Bishop or any other person is commissioned to carry out the ministerial part of a dispensation, he has to do it personally as the execution has been entrusted to him *ratione industriae personae*. Hence, the commission of fulminating a dispensation, being so personal, cannot be shared by or be sub-delegated to others, when the dispensation was granted *in forma gratiosa*. At the present time, however, matrimonial dispensations are conceded *in forma mixta*, containing the dispensation already granted by the Holy See with the commission of its execution, and the power of jurisdiction given to the executor, of verifying the causes of the dispensation and other conditions laid down in the rescript. In this case the executor may sub-delegate the jurisdictional and not the ministerial portion of the dispensation.

On the other hand, we can scarcely conceive the case of matrimonial dispensations sent for their execution to the

<sup>1</sup> S.R.C., 8 Maii 1907; S.C.C., 20 Dec., 1905; 15 Sept, 1906.



Bishop personally, considering that in the present discipline of the Church dispensations of that kind are to be sent to the Ordinary. The Holy Office has already decided thus: 'Dispensationes matrimoniales *omnes* in posterum committendas esse vel Oratorum Ordinario vel Ordinario loci.' Hence, we are inclined to believe that in the statement of his case 'M. D.' wants to say that these dispensations were merely sent to the Bishop of the diocese, as it is customary with the Roman Congregations to do, although the rescript refers to the Ordinary. If that be so, it is plain that the Vicars-General are quite competent to fulminate the dispensations in question.

#### **KISSING OF THE BISHOP'S HAND WHEN DISTRIBUTING HOLY COMMUNION**

REV. DEAR SIR,—Ferraris in his *Bibliotheca*, v., Annulus n. 9, says that the Bishop's hand and not his ring is to be kissed whenever he distributes Holy Communion. Is this doctrine correct? I am under the impression that it is the ring that must be kissed, and I never saw anybody kissing the Bishop's hand instead of the ring before receiving Holy Communion from him.

P. B.

The statement made by Ferraris is quite correct, and it is in conformity with the prescription laid down in the Ceremonial of Bishops which is of the following tenor, 'Omnes tam de clero quam de populo . . . osculantur *manum Episcopi* ante Communionem.' But as it is far easier to reach the Bishop's ring, which is the most prominent object when the hand is offered to the Communicant for the ritual kiss, the common usage arose of kissing the ring instead of the hand before receiving Holy Communion from the Bishop.

S. LUZIO.

## LITURGY

## VARIOUS QUESTIONS ABOUT CEREMONIES OF PRIVATE BAPTISM

REV. DEAR SIR,—1°. A baptized Protestant is on his death-bed. His relatives are anxious to have him die a Catholic, partly for the reason that they would like to have him buried in a Catholic cemetery. The priest is in doubt as to the sincerity of his intentions, and fears that he is giving his consent to go through the form merely to please his relatives. Is the priest justified in receiving such a person into the Church, and if so, should the Sacraments, including Extreme Unction, be administered conditionally?

2°. Is it necessary in such a case, even when the sick person is quite able to make the effort, for the priest to read the profession of faith, slowly, as the Ritual directs, and have the sick person repeat each phrase after him, or may he read it quickly and have the sick person give his assent to it at the end?

Konings (No. 1264, lx., 2) says: '*Epikleia omitti forsan possi formulam illam, quando de hominibus coloris aliisve rudibus excipiendis agitur qui nec recitare, nec intelligere eam valeant. Posse etiam sacerdotem eam praelegere mulieribus (aliisve) indolis timidioris assensum sub finem significaturis.*'

Are witnesses required for this ceremony.

'Monent,' continues Konings, 'Pastoral Platt for Nord America duos idoneos testes ad Professionem Fidei adhibendos esse atque etiam tum cum ed justis de causis secreto, v.g., in sacristia, excipienda videatur.'

3°. In the case where the sick person was baptized in the Protestant church, and is to be baptized conditionally, and it seems certain that he will never live to have the ceremonies supplied in the church, should Solemn Baptism be administered?

The Statutes of some Dioceses forbid the ceremonies before the Baptism to be supplied afterwards except in the church.

4°. In case private Baptism is to be administered in the house, is the priest obliged to bring baptismal water from the church, or may he use common water?

5°. Should there be sponsors in case of private Baptism in a house, even when it is administered to a baptized Protestant conditionally when he is in danger of death?

6°. Is the priest obliged to bring the Holy Chrism with him when the call is not sudden, and he can do so without any inconvenience?

7°. In case the sick Protestant who has been baptized con-

ditionally lives several days, should the ceremonies after Baptism including the Unction with the Holy Chrism be supplied in the house, when it is morally certain that he will never live to come to the church ?

8°. If sponsors were admitted to the private Baptism, should the same sponsors assist also at these supplementary rites ?

9°. Should Viaticum be administered to a Protestant converted on his death-bed, when on account of lack of intelligence, or physical weakness, it is impossible to make him distinguish the consecrated Host from ordinary bread ?

1°. This is a case where there is doubt as to the presence of the proper dispositions for the reception of the Sacraments, and must be solved according to the well-known principles of theology. On the one hand, the minister must be careful, *ne margaritas ante porcos projiciat*, while, on the other, he must not be over scrupulous, remembering that *Sacramenta sunt propter homines*. Ordinarily, the priest is justified in proceeding to administer a Sacrament only when he can form a *prudens judicium* as to the worthiness of the recipient ; but when there is question of a person who is in danger of death and of a Sacrament that is essential for salvation, then every effort should first be made to secure the best dispositions possible, and in a last resort, the dying person should get the benefit of the rites of the Church as long as there was no evidence of positive indisposition. To consult for the proper reverence due to sacred things the Sacrament should in the latter instance be administered conditionally, provided the insertion of the condition could attain this end without any danger to the validity. Passing from these abstract principles to the concrete case proposed, it would seem that the Protestant under consideration is entitled to reception into the Church and the benefits of her Sacraments, if he is prepared to make his confession and do all that is required of him. The method of procedure will be found fully described in any of the ordinary theological manuals, and need not be dwelt upon here. Baptism, if regarded necessary, should be given absolutely or conditionally, according to circumstances. Similarly Penance, but Extreme Unction should be given absolutely, or at least its collation should not be made



dependant on the presence of certain dispositions, the probable absence of which at the moment would endanger its validity and destroy the possibility of future reviviscence.<sup>1</sup> Since the Viaticum is not so necessary and since, moreover, some sort of positive proof is required in the recipient,<sup>2</sup> it may be wisest not to give it where the dispositions are doubtful. But one must be guided largely by his own judgment in the matter

2°. The full repetition of the *Professio Fidei* by the neo-convert may be well dispensed with, and Koning's suggestion may reasonably be followed. Indeed, since it is almost impossible for a half-instructed convert to take in at one lesson a fraction of the body of doctrine contained even in the Abridged Profession of Faith, it would be best for the priest to confine himself to an endeavour to explain the principal Mysteries of Religion, and the things that are to be believed *necessitate medii et praecepti*, and then get an undertaking from the person to submit himself to the teaching of the Catholic Church. As to the witnesses, it is at all events very desirable that they should be present, and that they should affix their signatures to the document in which the convert has acknowledged over his own name his adoption of the Catholic Faith.<sup>3</sup> This wise precaution will safeguard the action of the priest should it ever be questioned by non-Catholics.

3°. In an instruction issued by the Holy Office, in April, 1861, the following paragraph occurs: "*Adulti qui propter infirmitatem ante mortem nunquam deferri ad Ecclesiam praevidentur, si petant a Sacerdote baptizari domi, vel iam a Christianis baptizati petant super ipsos caeremonias suppleri Sacerdotes possunt et tenentur uti illis caeremoniis quibus uti possunt.*" The case under consideration is on all fours with that contemplated in this extract, and may, therefore, in the absence of any local legislation to the contrary, be similarly dealt with. Provincial and Diocesan Statutes forbid, as a rule, whenever Baptism is

<sup>1</sup> Lehmkuhl, *Casus*, ii. n. 665.

<sup>2</sup> 1 Cor. ii. 28.

<sup>3</sup> Schieler-Heuser, *Theory and Practice of the Confessional*, p. 537.

conferred privately, the employment of the ceremonies *ante ablutionem*, and direct that these should afterwards be supplied in the church, but it may be said that they contemplate chiefly cases of infant baptism as well as the possibility of having the omissions supplied afterwards in the proper place.<sup>1</sup> Unless, then, the precise case mentioned is exactly covered by local prohibitive legislation, it would seem to be hard that an adult, baptized on his death-bed, should be deprived of the graces and spiritual benefits conferred by the full ceremonial of the Baptismal rite. Moreover, whenever Baptism is conferred privately, but with the sanction of ecclesiastical authorities, the complete ceremonial may be employed. This may happen in missionary countries and in other places where the Church organization is not yet in a state of absolute perfection.

4°. If Baptismal water can be conveniently had it should be used in case of a private Baptism. In its absence, ordinary blessed water should be employed, and failing this, common clean water will be sufficient.<sup>2</sup>

5°. While authors do not commonly urge the obligation of employing *patrinos* in a private Baptism conferred by a priest, yet not only is there nothing against this course but it is recommended by some as the proper thing to do.<sup>3</sup>

The employment of sponsors would also be more in accordance with a Decree of the Holy Office issued in December, 1850.

6°. It has been said or insinuated that a priest who baptizes privately, should perform all the ceremonies *post ablutionem*,<sup>4</sup> including the anointing with Chrism, the clothing with the white garment, and the tradition of the lighted candle. Since, then, the Holy Chrism is required, it should be brought.

7°. See Decree already quoted in answer to No. 3.

8°. Yes ; by all means.

9°. See answer to query 1°.

<sup>1</sup> Cf. *Decreta Synodi Plenariae Manutianae*, 1900.

<sup>2</sup> Van Der Stappen, *De Sacr. Adm.* 106.

<sup>3</sup> Cf. Liguori, *Theol. Mor.*, vi. 147 ; Gennicot, ii.

<sup>4</sup> S.R.C. Decr., September 1890.

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**THE ABSOLUTION AT MASSES FOR THE DEAD**

In some dioceses there is a diversity of practice in regard to the absolution after Requiem Masses.

In some churches they take place only at funerals, and in others after the Requiem Masses. Now in large churches where the Masses are frequent, considerable extra work falls on the celebrant, organist, singers, sexton, and Mass servers, and the people are quite indifferent in the matter.

In view of these inconveniences, and also because the absolutions never take place except at funerals, in many well-regulated churches, would you condemn a pastor for gradually and prudently breaking up the custom in parishes where it has been established, so as to have uniformity of practice in the diocese?

The Absolution is a necessary adjunct of all Exequial Masses—of those, namely, that are celebrated *praesente corpore*—and it may be given after every *Missa pro Defunctis*. In the latter cases, however, it is not of obligation unless by reason of custom, or of the special request and desire of the person who gave the honoraria for the Mass.

If there is question of doing away with the Absolution in connexion with Funeral or Exequial Masses, the custom would be against the Rubrics and cannot be countenanced, but if it is felt desirable to have uniformity in regard to the use of the Absolution after other Masses *de Requiem*, the Ordinary of the Diocese would seem to be the fit authority to deal with the matter.

**ALTAR LINENS**

Where can be found precise rules for the size, shape, and material of corporals, palls, purificators, and other linens used in the Holy Sacrifice of the Mass?

The information will be found in any of the following: *The Sacristan's Manual*, by Dale; London: Burns and Oates; Wapellhorst, *Compendium Sacrae Liturgiae*, Benziger Brothers, New York.

**OCTOBER DEVOTIONS**

REV. DEAR SIR,—(a) For the gaining of the Indulgences attached to these Devotions, how often in the day is it lawful to have them? For instance, to meet the convenience of the



faithful may they be given morning and evening, and even in the afternoon for children leaving school? And if lawful may a person satisfy the number of visits by attending each service and in this way shorten the time for making ten visits? Some priests in the excess of zeal follow this practice. To me it appears they exceed the concession granted by the late Pontiff Leo XIII. His Holiness merely gave a choice, *Inter Missarum Solemnia*, or *Coram Sacramento*, etc.

(b) When Mass is celebrated in a private house—what is called a ‘Station’ is being held—may the faithful who assist satisfy a visit within the meaning of the Encyclical by the recital of the prescribed prayers?

(a) There is certainly no authorization in any of the Papal Encyclicals and Decrees that have been issued on the October Devotions for the rather unusual practice to which reference is made in this query. In virtue of the Papal privilege Benediction of the Blessed Sacrament can only be given once each day, at the very most, during the month of October. If, then, it is given oftener it must be authorized by the Ordinary of the Diocese, and it may be assumed that he will not be very anxious to gratify an indiscreet exercise of superfluous zeal. For there is no necessity whatever for holding the Devotions more than once each day. The Sovereign Pontiff, with wise forethought, has made it possible for those who cannot assist at the public recitation of the Rosary in church—whether it is in the morning during Mass or in the afternoon during Benediction—to gain the Indulgences by privately reciting the prayers in their own houses.<sup>1</sup> Then in regard to the number of visits, it is laid down for the gaining of the plenary Indulgence that one must assist at the Devotions on ten *days*, thereby showing clearly that only one visit can be made each day.

(b) There can be no reasonable doubt that the faithful who assist at the ‘Station Mass’ and say the prayers during it, gain the Indulgences. For it is really *quasi-public*, and, moreover, it is sanctioned by the Ordinary who has authority in virtue of the Papal Encyclical to designate *other places*

<sup>1</sup> *Conf. of Indulgences*, 23rd July, 1898.

than those expressly mentioned, for the celebration of the October Devotions.

It may be opportune to refer here to another question which has occurred to some about the October Devotions. It is whether it is necessary that the Rosary, etc., should be recited *during* the actual celebration of Mass, or whether it is not enough if they be said immediately after or before Mass. This doubt has fortunately been solved for us by the Congregation of Rites, in a decree dated January 16, 1886. It was asked:—

*Quum præcipitur quod si mane Rosarium cum Litanis recitatur Sacrum inter preces peragatur ; quaertur : Num hæc verba ita intelligi debeant ut Rosarium uno eodemque tempore dicatur quo Missa celebratur ; vel potius Missa antea celebranda sit, ac postea Rosarium, cum Litanis recitetur ?*

And the answer was: *Affirmative ad primam partem ; Negative ad secundam.*

The same reason holds for having the prayers recited during the actual celebration of Mass as for having them said in the presence of the Blessed Sacrament exposed, and in both cases the special direction was dictated by a desire to invest the public recital of the Rosary of our Lady with as much *solemnity* as it is possible to secure. It might be also that there was an idea in the Holy Father's mind that this close contact and touch with the Hidden God of the Blessed Sacrament now visible, as it were, through the veils that clothe His deified Humanity, would secure for the devout clients of the Divine Mother a richer measure of fruitful impetration.

Again, it is asked if the Benediction may be held in the morning, the prayers said during it, and Indulgences gained? The Benediction in the morning is not authorized in virtue of the general Papal Indult. Hence if held at all the permission of the Bishop is necessary. With regard to the gaining of the Indulgences the matter is doubtful. The opinion was given in a previous issue of the I. E. RECORD,<sup>1</sup> that it is probable the Indulgences are gained in the case

<sup>1</sup> I. E. RECORD, 1896, p. 938.

since there is a solemn, public recitation which seems to be all that is required. This view is certain in regard to those persons who could not be present at the morning Mass or at the Devotions if they were held in the evening, for then such persons would be on an equality with those who have the privilege of gaining the Indulgences by *private* recitation of the prayers. But the number of such persons is rather limited. If they can attend at Benediction given in the morning there seems to be no reason why they could not be present at Mass said about the same time. Since, however, there is no clear indication as to what the intention of the Pope really is the matter remains at least doubtful, and therefore the indulgences would be in danger of being lost.

P. MORRISROE.



## DOCUMENTS

## EXHORTATION OF PIUS X TO THE CLERGY OF THE WORLD

## ACTA SUMMI PONTIFICIS

SANCTISSIMI DOMINI NOSTRI PII DIVINA PROVIDENTIA PP. X IN  
QUINQUAGESIMO NATALI SACERDOTII SUI  
EXHORTATIO AD CLERUM CATHOLICUM

PIUS PP. X.

*Dilecti filii, salutem et apostolicam benedictionem.*

Haerent animo penitus, suntque plena formidinis, quae gentium Apostolus ad Hebraeos scribebat,<sup>1</sup> quum illos commonens de obedientiae officio praepositis debitaе, gravissime affirmabat : *Ipsi enim pervigilant, quasi rationem pro animabus vestris reddituri.* Haec nimirum sententia si ad omnes pertinet, quotquot in Ecclesia praesunt, at maxime in Nos cadit, qui, licet impares, supremam in ea auctoritatem, Deo dante, obtinemus. Quare noctu atque interdium sollicitudine affecti, meditari atque eniti non intermittimus quaecumque ad incolumitatem faciant et incrementa dominici gregis. Inter haec unum praecipue Nos occupat : homines sacri ordinis eos omnino esse, qui pro muneris officio esse debent. Persuasum enim habemus, hac maxime via de religionis statu bene esse laetiusque sperandum. Idcirco, statim ut Pontificatum Inviimus, quamquam, universitatem cleri centuentibus, multiplices eius laudes educebant, tamen venerabiles fratres catholici orbis Episcopos impensissime hortandos censuimus, ut nihil constantius nihil efficacius agerent, quam ut Christum formarent in iis, qui formando in ceteris Christo rite destinantur. Sacrorum autem Antistitum quae fuerint in hac re voluntates probe novimus. Novimus qua providentia, qua navitate in excolendo ad virtutem clero assidue connituntur : de quo illis non tam laudem impertivisse, quam gratias palam habuisse libet.

At vero, quum ex huiusmodi Episcoporum curis iam plures e clero gratulamur caelestes concepisse ignes, unde gratiam Dei, ex impositione manuum presbyterii susceptam, vel resuscitarunt vel acuerunt ; tum adhuc conquerendum superest, alios quos-

<sup>1</sup> xiii. 17.

dam per diversas regiones non ita se probare, ut in ipsos tamquam in speculum, prout dignum est, plebs christiana coniciens oculos, sumere possit quod imitetur. Ad hos porro cor Nostrum per hasce litteras patere volumus; videlicet ut cor patris, quod in conspectu aegrotantis filii anxia palpitat caritate. Hac igitur suadente, hortationibus Episcoporum hortationes addimus Nostras: quae, quamvis eo spectent potissimum ut devios torpentesve ad meliora revocent, tamen etiam ceteris admoveant velimus incitamenta. Commonstramus iter quo quisque studiosius in dies contendat ut vere sit, qualem Apostolus nitide expressit, *homo Dei*,<sup>1</sup> iustaeque expectationi Ecclesiae respondeat. Nihil plane inauditum vobis aut cuiquam novum dicemus, sed quae certe commemnis omnes oportet: spem autem indit Deus, vocem Nostram fructum non exiguum esse habiturum. Id equidem flagitamus: *Renovamini . . . spiritu mentis vestrae, et induite novum hominem, qui secundum Deum creatus est in iustitia, et sanctitate veritatis*:<sup>2</sup> eritque hoc a vobis in quinquagesimo sacerdotii Nostri natali pulcherrimum acceptissimumque munus. Quumque Nos, *in animo contrito et spiritu humilitatis*,<sup>3</sup> exactos in sacerdotio annos reeognitabimus Deo; quidquid humani dolendum sit, videbimur quadammodo expiare, admonendo vos et cohortando *ut ambuletis digne Deo per omnia placentes*.<sup>4</sup> Qua tamen in hortatione, non vestras tantum utilitates tuebimur, sed communes etiam catholicarum gentium; quum aliae ab aliis dissociari nequaquam possint. Etenim non eiusmodi est sacerdos, qui bonus malusve uni sibi esse queat; sed eius ratio et habitus vitae sane quantum habet consequentis effectus in populum. Sacerdos reapse bonus ubi est, quale ibi donum et quantum est!

Hinc porro, dilecti filii, hortationis Nostrae exordium capimus ut vos nimirum ad eam vitae sanctimoniam, quam dignitatis gradus postulat, excitemus. Quicumque enim sacerdotio potitur, eo non sibi tantum, sed aliis potitur: *Omnis namque Pontifex ex hominibus assumptus, pro hominibus constituitur in iis, quae sunt ad Deum*.<sup>5</sup> Idipsum et Christus indicavit, qui ad significandum quo demum actio sacerdotum spectet, eos cum sale itemque cum luce comparatos voluit. Lux ergo mundi, sal terrae, sacerdos est. Neminem sane fugit id praecipue fieri christiana veritate tradenda: at vero quem pariter fugiat, institutionem eiusmodi pro nihilo fere esse, si, quae sacerdos verbo tradat, exemplo suo non comprobet? Qui audiunt, contumeliose ii quidem, sed non immerito obliicient: *Confitentur se nosse Deum*,

<sup>1</sup> 1 Tim. vi. 11.<sup>2</sup> Ephes. iv. 23, 24.<sup>3</sup> Dan. iii. 39.<sup>4</sup> Coloss. i. 10.<sup>5</sup> Hebr. v. 1.

*factis autem negant*; <sup>1</sup> doctrinamque respuent, nec sacerdotis fruuntur luce. Quam ob rem ipse Christus, factus sacerdotum forma, re primum, mox verbis docuit: *Coepit Iesus facere, et docere.* <sup>2</sup> Item, sanctimonia posthabita, nihil admodum sacerdos sal terrae esse poterit; corruptum enim et contaminatum integritati minime aptum est conferendae: unde autem sanctitas abest, ibi corruptionem inesse oportet. Quapropter Christus, eandem insistens similitudinem, sacerdotes tales sal infatuatum dicit, quod *ad nihilum valet ultra, nisi ut mittatur foras, atque adeo conculcetur ab hominibus.* <sup>3</sup>

Quae fidem eo apertius patent, quod sacerdotali munere haud nostro nos fungimur nomine, sed Christi Iesu. *Sic nos, inquit Apostolus, existimet homo ut ministros Christi, et dispensatores mysteriorum Dei* <sup>4</sup> *pro Christo ergo legatione fungimur.* <sup>5</sup> Hac nempe de causa Christus ipse, non ad servorum, sed ad amicorum numerum nos adscripsit: *Iam non dicam vos servos. . . . Vos autem dixi amicos: quia omnia quaecumque audiui a Patre meo, nota feci vobis. Elegi vos et posui vos ut eatis, et fructum asseratis.* <sup>6</sup> Est igitur nobis persona Christi gerenda: legatio vero ab ipso data sic obeunda, ut quo ille intendit, eo nos pertingamus. Quoniam vero *idem velle idem nolle, ea demum firma amicitia est*; tenemur, ut amici, hoc sentire in nobis quod et in Christo Iesu, qui est *sanctus, innocens, impollutus*: <sup>7</sup> ut legati ab eo, debemus, doctrinis eius ac legi conciliare fidem hominum, easdem nimirum nos ipsi primum servantes: ut potestatis eius participes ad animos vinculis culparum levandos, conari nos omni studio oportet ne illis implicemur. At maxime ut ministri eius in praecellentissimo sacrificio, quod perenni virtute pro mundi vita innovatur, debemus ea animi conformatione uti, qua ille ad aram crucis seipsum obtulit hostiam immaculatam Deo. Nam si olim, in specie solummodo ac figura, tanta a sacerdotibus postulabatur sanctitas; ecquid a nobis, quum victima est Christus? *Quo non oportet igitur esse puriorem tali fruente sacrificio? quo solari radio non splendidiorem manum hanc dividente? os quod igni spiritali repletur, linguam quae tremendo nimis sanguine rubescit.* <sup>8</sup> Perapte S. Carolus Borromaeus, in orationibus ad clerum, sic instabat: 'Si meminissemus, dilectissimi fratres, quanta et quam digna in manibus nostris posuerit Dominus Deus, quantam istiusmodi consideratio vim haberet ad nos impellendum ut vitam ecclesiasticis hominibus dignam duceremus! Quid non posuit in manu mea Dominus, quando proprium Filium suum

<sup>1</sup> Tit. i. 16.<sup>2</sup> Act. i. 1.<sup>3</sup> Matt. v. 13.<sup>4</sup> 1 Cor. iv. 1.<sup>5</sup> 2 Cor. v. 20.<sup>6</sup> Ioan. xv. 15, 16.<sup>7</sup> Hebr. vii. 26.<sup>8</sup> S. 10. Chrysost.

hom. lxxxii. in Matt., n. 5.



unigenitum, sibi coaeternum et coaequalem, posuit? In manu mea posuit thesauros suos omnes, sacramenta et gratias; posuit animas, quibus illi nihil est carius, quas sibi ipsi praelulit in amore, quas sanguine suo redemit: in manu mea posuit caelum, quod et aperire et claudere ceteris possim. . . . Quomodo ergo adeo ingratus esse potero tantae dignationi et dilectioni, ut peccem contra ipsum? ut illius honorem offendam? ut hoc corpus, quod suum est, inquinem? ut hanc dignitatem, hanc vitam, eius obsequio consecratam, maculem?

Ad hanc ipsam vitae sanctimoniam, de qua iuvat paulo fusius dicere, magnis Ecclesia spectat perpetuisque curis. Sacra idcirco Seminaria instituta: ubi, si litteris ac doctrinis imbuendi sunt qui in spem cleri adolescunt, at simul tamen praecipueque ad pietatem omnem a teneris annis sunt conformandi. Subinde vero, dum ipsa candidatos diuturnis intervallis gradatim promovet, nusquam, ut mater sedula, hortationibus de sanctitate assequenda parcat. Iucunda quidem ea sunt ad recolendum. Quum enim primo in sacram militiam cooptavit, voluit nos ea rite profiteri: *Dominus pars hereditatis meae, et calicis mei: tu es, qui restitues hereditatem meam mihi.*<sup>1</sup> Quibus inquit Hieronymus, monetur clericus ut *qui, vel ipse pars Domini est, vel Dominum partem habet, talem se exhibeat ut et ipse possideat Dominum, et possideatur a Domino.*<sup>2</sup> Subdiaconis accensendos ipsa quam graviter est allocuta! *Iterum atque iterum considerare debetis attente quod onus hodie ultro appetitis . . . quod si hunc ordinem susceperitis, amplius non licebit a proposito resilire, sed Deo . . . perpetuo famulari, et castitatem, illo adiuvante, servare oportebit.* Tum denique: *Si usque nunc fuistis tardi ad ecclesiam, amodo debetis esse assidui: si usque nunc somnolenti, amodo vigiles . . . si usque nunc inhonesti, amodo casti. . . . Videte cuius ministerium vobis traditur!* Diaconatu porro augendis sic per Antistitem a Deo precata est: *Abundet in eis totius forma virtutis, auctoritas modesta, pudor constans, innocentiae puritas et spiritualis observantia disciplinae. In moribus eorum praecepta tua fulgeant, ut suae castitatis exemplo imitationem sanctam plebs acquirat.* Sed eo acrius movet commonitio initiandis sacerdotio facta: *Cum magno timore ad tantum gradum ascendendum est, ac providendum ut caelestis sapientia, probi mores et diuturna iustitiae observatio ad id electos commendet. . . . Sit odor vitae vestrae delectamentum Ecclesiae Christi, ut praedicatione atque exemplo aedificetis domum, idest familiam Dei.* Maximeque omnium urget illud gravissime additum: *Imitamini quod tractatis: quod profecto cum Pauli praecepto congruit: ut exhibeamus omnem hominem perfectum in Christo Iesu.*<sup>3</sup>

<sup>1</sup> Ps. xv. 5.<sup>2</sup> Ep. lii. ad Nepotianum, n. 5.<sup>3</sup> Coloss. i. 28.

Talis igitur quum sit mens Ecclesiae de sacerdotum vita, mirum nemini esse possit, quod sancti Patres ac Doctores omnes ita de ea re consentiant, ut illos fere nimios quis arbitretur: quos tamen si prudenter aestimemus, nihil eos nisi apprime verum rectumque docuisse iudicabimus. Eorum porro sententia haec summam est. Tantum scilicet inter sacerdotem et quemlibet probum virum intercedere debet discriminis, quantum inter caelum et terram: ob eamque causam, virtuti sacerdotali cavendum non solum ne gravioribus criminibus sit affinis, sed ne nimis quidem. In quo virorum tam venerabilium iudicio Tridentina Synodus stetit, quum monuit clericos ut fugerent *levia et imminuta delicta, quae in ipsis maxima essent*:<sup>1</sup> maxima scilicet non re ipsa, sed respectu peccantis, in quem, potiore iure quam in temporum aedificia, illud convenit: *Domum tuam decet sanctitudo*<sup>2</sup>

Iam sanctitas eiusmodi, qua sacerdotem carere sit nefas, videntum est in quo sit ponenda: id enim si quis ignoret vel praepostere accipiat, magno certe in discrimine versatur. Equidem sunt qui putent, qui etiam profiteantur, sacerdotis laudem in eo collocandam omnino esse, ut sese aliorum utilitatibus totum impendat; quamobrem, dimissa fere illarum cura virtutum, quibus homo perficitur ipse (eas ideo vocitant *passivas*), aiunt vim omnem atque studium esse conferenda ut *activas* virtutes quis excolat exerceatque. Haec sane doctrina mirum quantum fallaciae habet exitii. De ea Decessor noster fel. rec. sic pro sua sapientia edixit:<sup>3</sup> 'Christianas . . . virtutes, alias temporibus aliis accommodatas esse, is solum velit, qui Apostoli verba non meminerit: "*Quos praescivit et praedestinavit conformes fieri imaginis Filii sui.*" Magister et exemplar sanctitatis omnis Christus est; ad cuius regulam aptari omnes necesse est, quotquot avent beatorum sedibus inseri. Iamvero haud notatur Christus progredientibus saeculis, sed idem *heri, et hodie: ipse et in saecula*.<sup>4</sup> Ad omnium igitur aetatum homines pertinet illud: *Discite a me, quia mitis sum et humilis corde*<sup>5</sup> nulloque non tempore Christus se nobis exhibet *factum obedientem usque ad mortem*<sup>6</sup> valetque quavis aetate Apostoli sententia: '*Qui . . . sunt Christi carnem suam crucifixerunt cum vitiis et concupiscentiis.*'<sup>7</sup> Quae documenta si quidem spectant unumquemque fidelium, propius tamen ad sacerdotes attinent: ipsique praeter ceteris dicta sibi habeant quae idem Decessor Noster apostolico ardore subiecit: '*Quas utinam virtutes multo nunc plures sic*

<sup>1</sup> Sess. xxii. *de reform.*, c. 1.

<sup>2</sup> Ps. xcii. 5.

<sup>3</sup> Ep. *Testem bene-*

*volentiae*, ad Archiep. Baltimor., 22 Ian., 1899.

<sup>4</sup> Rom. viii. 29

<sup>5</sup> Heb. xiii. 8.

<sup>6</sup> Matt. xi. 29.

<sup>7</sup> Philipp. ii. 8.

<sup>8</sup> Gal. v. 24.

colerent, ut homines sanctissimi praeteritorum temporum ! qui demissione animi, obedientia, abstinence, *potentes fuerunt opere et sermone*, emolumento maximo, nedum religiosae rei, sed publicae ac civilis.' Ubi animadvertere non abs re fuerit, Pontificem prudentissimum iure optimo singularem abstinence mentionem intulisse, quam evangelico verbo dicimus, abnegationem sui. Quippe hoc praesertim capite, dilecti filii, robur et virtus et fructus omnis sacerdotalis muneris continetur : hoc neglecto, exoritur quidquid in moribus sacerdotis possit oculos animosque fidelium offendere. Nam si turpis lucri gratia quis agat, si negotiis saeculi se involvat, si primos appetat accubitus ceterosque despiciat, si carni et sanguini acquiescat, si quaerat hominibus placere, si fidat persuasibilibus humanae sapientiae verbis ; haec omnia inde fluunt, quod Christi mandatum negligit conditionemque respuit ab ipso latam : *Si quis vult post me venire, abneget semetipsum.*<sup>1</sup>

Ista Nos quum adeo inculcamus, illud nihilo minus sacerdotem admonemus, non sibi demum soli vivendum sancte : ipse enimvero est operarius, quem Christus *exit . . . conducere in vineam suam.*<sup>2</sup> Eius igitur est fallaces herbas evellere, serere utiles, irrigare, tueri ne inimicus homo superseminet zizania. Cavendum propterea sacerdoti ne, inconsulto quodam intimae perfectionis studio adductus, quidquam praetereat de muneris partibus quae in aliorum bonum conducant. Cuiusmodi sunt verbum Dei nuntiare, confessiones rite excipere, adesse infirmis praesertim morituris, ignaros fidei erudire, solari moerentes, reducere errantes, usquequaque imitari Christum : *Qui pertransiit benefaciendo et sanando omnes oppressos a diabolo.*<sup>3</sup> Inter haec vero insigne Pauli monitum sit menti defixum : *Neque qui plantat est aliquid, neque qui rigat : sed, qui incrementum dat, Deus.*<sup>4</sup> Liceat quidem euntes et flentes mittere semina ; liceat ea labore multo fovere : sed ut germinet edantque optatos fructus, id nempe unius Dei est eiusque praepotentis auxilii. Hoc accedit magnopere considerandum, nihil praeterea esse homines nisi instrumenta, quibus ad animorum salutem utitur Deus ; ea oportere idcirco ut apta sint quae a Deo tractentur. Qua sane ratione ? Num ullâ putamus vel insita vel parta studio praestantia moveri Deum ut opem adhibeat nostram ad suae gloriae amplitudinem ? Nequaquam : scriptum est enim : *Quae stulta sunt mundi elegit Deus, ut confundat sapientes : et infirma mundi elegit Deus, ut confundat fortia : et ignobilia mundi, et contemptibilia elegit Deus, et ea quae non sunt, ut ea quae sunt destrueret.*<sup>5</sup> Unum nimirum

<sup>1</sup> Matt. xvi. 24.<sup>2</sup> Matt. xx. 1.<sup>3</sup> Act. x. 38.<sup>4</sup> 1 Cor. iii. 7.<sup>5</sup> 1 Cor. i. 27, 28.



est quod hominem cum Deo coniungat, unum quod gratum efficiat, atque non indignum eius misericordiae administrum : vitae morumque sanctimonia. Haec, quae demum est supereminens Iesu Christi scientia, sacerdoti sit desit, desunt ei omnia. Nam, ab ea disiunctae, ipsa exquisitae doctrinae copia (quam Nosmetipsi nitimur in clero provehere), ipsaque agendi dexteritas et sollertia, etiamsi emolumenti aliquid vel Ecclesiae vel singulis afferre possint, non raro tamen detrimenti iisdem sunt flebilis causa. Sanctimonia vero qui ornetur et affluat, is quam multa possit, vel infimus, mirifice salutaria in populo Dei aggredi et perficere, complura ex omni aetate testimonia loquuntur : praeclare, non remota memoria, Iohannes Bapt. Vianney, animarum in exemplum curator, cui honores Caelitum Beatorum Nosmet decrevisse. Sanctitas una nos efficit, quales vocatio divina exposcit : homines videlicet mundo crucifixos, et quibus mundus ipse sit crucifixus ; homines in novitate vitae ambulantes, qui, ut Paulus monet,<sup>1</sup> *in laboribus, in vigiliis, in ieiuniis, in castitate, in scientia, in longanimitate, in suavitate, in Spiritu Sancto, in caritate non ficta, in verbo veritatis* seipsos exhibeant ut ministros Dei ; qui unice in caelestia tendant, et alios eodem adducere omni ope contendant.

Quoniam vero, ut nemo unus ignorat, vitae sanctitas eatenus fructus est voluntatis nostrae, quoad haec gratiae subsidio roboretur a Deo, abunde nobis Deus ipse providit, ne gratiae munere si velimus, ullo tempore careamus ; idque in primis assequimur studio precandi. Sane precationem inter et sanctimoniam is necessario intercedit usus, ut altera esse sine altera nullo modo possit. Quocirca consentanea omnino veritati est ea sententia Chrysostomi : *Arbitror cunctis esse manifestum, quod simpliciter impossibile sit absque precationis praesidio cum virtute degere* :<sup>2</sup> acuteque Augustinus conclusit : *Vere movit recte vivere, qui recte novit orare*.<sup>3</sup> Quae nobis documenta Christus ipse et crebra hortatione et maxime exemplo suo firmiter persuasit. Nempe orandi causa vel in deserta secedebat ; vel montes subibat solus ; noctes solidas totus in eo exigebat ; templum frequenter adibat ; quin etiam, stipantibus turbis, ipse erectis in caelum oculis palam orabat ; denique suffixus cruci, medios inter mortis dolores, cum clamore valido et lacrimis supplicavit Patri. Hoc igitur certum ratumque habeamus, sacerdotem, ut gradum officiumque digne sustineat suum, precandi studio eximie deditum esse oportere. Saepius quidem dolendum quod ipse ex consuetudine potius id faciat quam ex animi ardore ; qui status horis oscitanter psallat vel pauculas interserat preces, nec deinde ullam de die

<sup>1</sup> 2 Cor. vi. et seqq.<sup>2</sup> De precatione, orat. i.<sup>3</sup> Hom. iv. ex. 50.

partem memor tribuat alloquendo Deo, pie sursum adspirans. Sed enim sacerdos multo impensius ceteris paruisse debet Christi praecepto : *Oportet semper orare* ; <sup>1</sup> cui inhaerens Paulus tantopere suadebat : *Orationi instate, vigilantes in ea in gratiarum actione* :<sup>2</sup> *Sine intermissione orate*.<sup>3</sup> Animo quippe sanctimoniae propriae aequae ac salutis alienae cupido quam multae per diem res dant occasiones ut in Deum feratur ! Angores intimi, tentationum vis ac pertinacia, virtutum inopia, remissio ac sterilitas operum, offensiones et negligentiae creberrimae, timor demum ad iudicia divina ; haec omnia valde incitant ut ploremus coram Domino, ac, praeter impetratam opem, bonis ad ipsum meritis facile ditescamus. Neque nostrâ tantummodo ploremus causa oportet. In ea, quae latius ubique funditur, scelerum cullovione, nobis vel maxime imploranda exorandaque est divina clementia ; nobis instandum apud Christum, sub mirabili Sacramento omnis gratiae benignissime prodigum : *Parce, Domine, parce populo tuo*.

Illud in hac parte caput est, ut aeternarum rerum meditationi certum aliquod spatium quotidie concedatur. Nemo est sacerdos qui possit hoc sine gravi incuriae nota et animae detrimento praetermittere. Ad Eugenium III, sibi quondam alumnum, tunc vero romanum Pontificem, Bernardus Abbas sanctissimus scribens, eum libere obnixequae admonebat, ne unquam a quotidiana divinorum meditatione vacaret, nulla admissa excusatione curarum, quas multas et maximas supremus habet apostolatus. Id autem se iure exposcere contendebat, utilitates eiusdem exercitationis ita enumerans prudentissime : *Fontem suum, id est mentem, de qua oritur, purificat consideratio. Deinde regit affectus, dirigit actus, corrigit excessus, componit mores, vitam honestat et ordinat ; postremo divinarum pariter et humanarum rerum scientiam confert. Haec est quae confusa disternat, hiantia cogit, sparsa colligit, secreta rimatur, vera vestigat, versimilia examinat, ficta et fucata explorat. Haec est quae agenda praeordinat, acta recogitat, ut nihil in mente resideat aut incorrectum aut correctione egens. Haec est quae in prosperis adversa praesentit, in adversis quasi non sentit ; quorum alterum fortitudinis, alterum prudentiae est*.<sup>4</sup> Quae quidem magnarum utilitatum summa, quas meditatio parare est nata, nos item docet atque admonet, quam sit illa, non modo in omnem partem salutaris, sed admodum necessaria.

Quamvis enim varia sacerdotiis munia augusta sint et plena venerationis, usu tamen frequentiore fit ut ipsa tractantes non ea plane qua par est religione perpendant. Hinc, sensim deferrescente animo, facilis gressus ad socordiam, atque adeo ad fastidium rerum sacerrimarum. Accedit, quod sacerdotem quo-

<sup>1</sup> Luc. xviii. 1.    <sup>2</sup> Coloss. iv. 2.    <sup>3</sup> 1 Thess. v. 17.    Luc. xviii. 1.

tidiana consuetudine versari necesse sit quasi in *medio nationis* *vivat*; ut saepe, in pastoralis ipsa caritatis perfuntione, sit sibi pertimescendum ne lateant inferni anquis insidiae. Quid, quod tam est proclive, de mundano pulvere etiam religiosa corda sordescere? Apparet igitur quae et quanta urgeat necessitas ad aeternorum contemplationem quotidie redeundi, ut adversus illecebras mens et voluntas, renovato subinde robore obfirmetur. Praeterea expedit sacerdoti quadam instrui facilitate assurgendi nitendique in caelestia: qui caelestia sapere, eloqui, suadere omnino debet; qui sic debet vitam suam omnem supra humana instituere, ut, quidquid pro sacro munere agit, secundum Deum agat, instinctu ductuque fidei. Iamvero hunc animi habitum, hanc veluti nativam cum Deo coniunctionem efficit maxime ac tuetur quotidianae meditationis praesidium; id quod prudenti cuique tuam perspicuum est, ut nihil opus sit longius persequi. Quarum rerum confirmationem petere licet, sane tristem, ex eorum vita sacerdotum, qui divinorum meditationem vel parvi pendunt vel plane fastidiunt. Videas enim homines, in quibus *sensus Christi*, illud tam praestabile bonum, oblanguit; totos ad terrena conversos, vana consecretantes, leviora effutientes; sacrosancta obeuntes remisse, gelide, fortasse indigne, Iampridem ipsi, unctionis sacerdotalis recenti charismate perfusi, diligenter parabant ad psallendum animam, ne perinde essent ac qui tentant Deum; opportuna quaerebant tempora locaque a strepitu remotiora; divina scrutari sensa studebant; laudabant, gemitabant, exsultabant, spiritum effundebant cum Psalte. Nunc vero, quantum mutati ab illis sunt! . . . Itemque vix quidquam in ipsis residet de alacri ea pietate quam spirabant erga divina mysteria. Quam dilecta erant olim tabernacula illa! gestiebat animus adesse in circuitu mensae Domini, et alios ad eam atque alios advocare pios. Ante sacrum quae mundities, quae preces desiderantis animae! tum in ipso agendo quanta erat reverentia, augustis caeremoniis decore suo integris; quam effusae ex praecordiis gratiae; feliciterque manabat in populum bonus odor Christi . . . *Rememoramini*, obsecramus, dilecti filii, *rememoramini* . . . *pristinos dies*,<sup>1</sup> tunc nempe calebat anima, sanctae meditationis studio enutrita.

In his autem ipsis, qui *recogitare corde*<sup>2</sup> gravantur vel negligunt, non desunt sane qui consequentem animi sui egestatem non dissimulent, excusantque, id causae obtendentes, se totos agitationi ministerii dedidisse, in multiplicem aliorum utilitatem. Verum falluntur misere. Nec enim assueti cum Deo colloqui, quum de eo ad homines dicunt vel consilia christianae vitae im-

<sup>1</sup> Heb. x. 32.<sup>2</sup> Ierem. xii. 11.



pertiunt, prorsus carent divino afflatu ; ut evangelicum verbum videatur in ipsis fere intermortuum. Vox eorum, quantavis prudentiae vel facundiae laude clarescat, vocem minime reddit Pastoris boni, quam oves salutariter audiant : strepit enim diffinitque inanis, atque interdum damnosi fecunda exempli, non sine religionis dedecore et offensione bonorum. Nec dissimiliter fit in ceteris partibus actuosae vitae, quippe vel nullus inde solidae utilitatis proventus, vel brevis horae, consequitur, imbre deficiente caelesti, quem proventus, vel brevis horae, consequitur, imbre deficiente caelesti, quem sane devocat uberrimum *oratio humilientis se*.<sup>1</sup> Quo loco facere quidem non possumus quin eos vehementer doleamus, qui pestiferis novitatibus abrepti, contra haec sentire non vereantur, impensamque meditando et precando operam quasi perditam arbitrentur. Proh funesta caecitas ! Utinam, secum ipsi probe considerantes, aliquando cognoscerent quorsum evadat neglectus iste contemptusque orandi. Ex eo nimirum germinavit superbia et contumacia ; unde nimis amari excrevere fructus, quos paternus animus et commemorare refugit et omnino resecare exoptat. Optatis annuat Deus ; qui benigne devios respiciens, tanta in eos copia *spiritum gratiae et precum* effundat, ut errorem deflentes suum male desertas vias communi cum gaudio volentes repetant, cautiores persequantur. Item ut olim Apostolo,<sup>2</sup> ipse Deum sit Nobis testis, quo modo eos omnes cupiamus in visceribus Iesu Christi !

Illis igitur vobisque omnibus, dilecti filii, alte insideat, hortatio Nostra, quae Christi Domini est : *Videte, vigilate et orate*.<sup>3</sup> Praecipue in pie meditandi studio uniuscuiusque elaboret industria : elaboret simul animi fiducia, identidem rogantis : *Domine, doce nos orare*.<sup>4</sup> Nec parvi quidem momenti esse nobis ad meditandum debet peculiaris quaedam causa, scilicet quam magna vis consilii virtutisque inde profluat, bene utilis ad rectam animarum curam, opus omnium perdifficile. Cum re cohaeret, et est memoratu dignum, Sancti Caroli pastorale alloquium : ‘ Intelligite, fratres, nil aequae ecclesiasticis omnibus viris esse necessarium ac est oratio mentalis, actiones nostras omnes praecedens, concomitans et subsequens : *Psallam*, inquit propheta, *et intelligam*.<sup>5</sup> Si Sacramenta ministras, o frater, meditare, quid facis ; si Missam celebras meditare quid offers ; si psallas, meditare cui et quid loqueris ; si animas regis, meditare quonam sanguine sint lavatae.’<sup>6</sup> Quapropter recte ac iure Ecclesia nos ea davidica sensa iterare frequenter iubet : *Beatus vir, qui in lege Domini meditatur ; voluntas eius permanet die ac nocte ; omnia quaecumque*

<sup>1</sup> Eccl. xxxv. 21.    <sup>2</sup> Philipp. i. 8.    <sup>3</sup> Marc. xiii. 33.    <sup>4</sup> Luc. xi. 1.

<sup>5</sup> Ps. c. 2.

<sup>6</sup> Ex orationib. ad clerum.

*faciet semper prosperabuntur.* Ad haec, unum denique instar omnium sit nobile incitamentum. Sacerdos enim si *alter Christus* vocatur et est communicatione potestatis, nonne talis omnino et fieri et haberi debeat etiam imitatione factorum? . . . *Summum igitur studium nostrum sit in vita Iesu Christi meditari.*<sup>1</sup>

Cum divinarum rerum quotidiana consideratione magni refert ut sacerdos piorum librorum lectionem, eorum in primis qui divinitus inspirati sunt, coniungat assiduus. Sic Paulus mandabat Timotheo: *Attende lectioni.*<sup>2</sup> Sic Hieronymus, Nepotianum de vita sacerdotali instituens, id inculcabat: *Nunquam de manibus tuis sacra lectio deponatur*: cuius rei hanc subtexebat causam: *Disce quod doceas: obtine eum qui secundum doctrinam est, fidelem sermonem, ut possis exhortari in doctrina sana; et contradicentes revincere.* Quantum enimvero proficiunt sacerdotes qui constanti hoc praestant assuetudine; ut sapide praedicant Christum, utque mentes animosque audientium, potius quam emolliant et mulceant, ad meliora impellunt, ad superna erigunt desideria! Sed alia quoque de causa, atque ea in rem vestram dilecti filii, frugifera, praeceptio valet eiusdem Hieronymi: *Semper in manu tua sacra sit lectio.*<sup>3</sup> Quis enim nesciat maximam esse in amici animum vim cuiuspiam amici qui candide moneat, consilio iuvet, carpat, excitet, ab errore avocet? *Beatus, qui invenit amicum verum. . . qui autem invenit illum, invenit thesaurum.*<sup>4</sup> Iamvero amicos vere fideles adscribere ipsi nobis pios libros debemus. De nostris quippe officiis ac praescriptis legitimae disciplina graviter commonefaciunt; repressas in animo caelestes voces suscitant; desidiam propositorum castigant; dolosam obturbant tranquillitatem; minus probabiles affectiones, dissimulatas, coarguunt; pericula detegunt, saepenumero incautis patentia. Haec autem omnia sic illi tacita cum benevolentia praestant, ut se nobis non modo amicos praebeant, sed amicorum perquam optimos praebeant. Siquidem habemus, quum libeat, quasi lateri adhaerentes, intimis necessitatibus nulla non hora promptos; quorum vox nunquam est acerba, consilium nunquam cupidum, sermo nunquam timidus aut mendax. Librorum piorum saluberrimam efficacitatem multa quidem eaque insignia declarant exempla; at exemplum profecto eminet Augustini, cuius promerita in Ecclesiam amplissima inde auspicium duxerunt: *Tolle, lege; tolle, lege. . . Arripui (epistolas Pauli apostoli), aperui et legi in silentio. . . Quasi luce securitatis infusa cordi meo, omnis dubitationis tenebrae diffugerunt.*<sup>5</sup> Sed contra heu! saepius accidit nostra aetate, ut homines e clero tenebris dubitationis

<sup>1</sup> *De imit. Chr.* i. 1.    <sup>2</sup> *1 Tim.* vi. 13.    <sup>3</sup> *Ep.* lviii. ad Paulinum, n. 6.

<sup>4</sup> *Eccli.* xxv. 12.

<sup>5</sup> *Ib.*, vi. 14.

<sup>6</sup> *Conf.* l. viii. c. 12.

sensim offundantur et saeculi obliqua sectentur, eo praesertim quod piis divinisque libris longe alios omne genus atque ephemeridum turbam praeoptent, ea quidem scatentia errore blando ac lue. Vobis, dilecti filii, cavete; adultae provectaeque aetati ne fidite, neve sinite spe fraudulenta illudi, ita vos posse aptius communi bono prospicere. Certi custodiantur fines, tum quos Ecclesiae leges praestituant, tum quos prudentia cernat et caritas sui: nam venena istaec semel quis animo imbibierit, concepti exitii perraro quidem effugiet damna.

Porro emolumenta, tum a sacra lectione, tum ex ipsa meditatione caelestium quaesita, futura certe sunt sacerdoti uberiora, si argumenti quidpiam accesserit, unde ipsemet dignoscat an lecta et meditata religiose studeat in usu vitae perficere. Est apposite ad rem egregium quoddam documentum Chrysostomi, sacerdoti praesertim exhibitum. Quotidie sub noctem, antequam somnus obrepit, *excita iudicium conscientiae tuae, ab ipsa rationem exige, et quae interdum mala cepisti consilia . . . fodica et diliana, et de eis poenam sume.*<sup>1</sup> Quam rectum id sit ac fructuosum christianae virtuti, prudentiores pietatis magistri luculenter evincunt, optimis quidem monitis et hortamentis. Praeclarum illud referre placet e disciplina Sancti Bernardi: *Integritatis tuae curiosus exploratur, vitam tuam in quotidiana discussione examina. Attende diligenter quantum proficias, vel quantum deficias. . . Stude cognoscere te. . . . Pone omnes transgressionem tuas ante oculos tuos. Statue te ante te, tamquam ante alium; et sic te ipsum plange.*<sup>2</sup>

Etiam in hac parte probrosum vere sit, si Christi dictum eveniat: *Filii huius saeculi prudentiores filiis lucis!*<sup>3</sup> Videre licet quanta illi sedulitate sua negotia procurent: quam saepe data et accepta conferant; quam accurate restricteque rationes subducant; iacturas factas ut doleant, seque ipsi acrius excitent ad sarcindas. Nos vero, quibus fortasse ardet animus ad aucupandos honores, ad rem familiarem augendam, ad captandam praesidio scientiae praedicationem unice et gloriam; negotium maximum idemque perarduum, sanctimoniae videlicet adeptionem, languentes, fastidiosi tractamus. Nam vix interdum apud nos colligimus et exploramus animum; qui propterea paene silvescit, non secus ac vinea pigri, de qua scriptum: *Per agrum hominis pigri transivi, et per vineam viri stulti: et ecce totum repleverant urticas, et operuerunt superficiem eius spinac, et maceria lapidum destructa erat.*<sup>4</sup> Ingravescit res, crebrescentibus circum exemplis pravis, sacerdotali ipsi virtuti haud

<sup>1</sup> Exposit. in Ps. iv. n. 8.  
quotid. sui ipsius exam.

<sup>2</sup> Meditationes piissimae, c. v., de

<sup>3</sup> Luc. xxi. 8.

<sup>4</sup> Prov. xxiv. 30, 31.



minime infestis; ut opus sit vigilantius quotidie incedere ac vehementius obniti. Tam experiendo cognitum est, qui frequentem in se censuram et severam de cogitatis, de dictis, de factis peragat, eum plus valere animo, simul ad odium et fugam mali, simul ad studium et ardorem boni. Neque minus experiendo compertum, quae incommoda et damna lere accidunt declinanti tribunal illud, ubi sedeat iudicans iustitia, stet rea et ipsum accusans conscientia. In ipso frustra quidem desideres eam agendi circumspectionem, quae adeo in christiano homine probatur, de minoribus quoque noxis vitandis; eamque verecundiam animi, maxime sacerdotis propriam, ad omnem vel levissimam in Deum offensam expavescentis. Quin immo indigentia atque neglectus sui nonnunquam eo deterius procedit, ut ipsum negligent poenitentiae sacramentum: quo nihil sane opportunius infirmitati humanae suppeditavit Christus insigni miseratione. Diffidendum certe non est, acerbique est deplorandum, non ita raro contingere, ut qui alios a peccando fulminea sacri eloqui vi deterret, nihil tale metuat sibi culpisque obcallescat: qui alios hortatur et incitat ut labes animi ne morentur debita religione detergere, id ipse tam ignave faciat atque etiam diuturno mensium spatio cunctetur; qui aliorum vulneribus olum et vinum salutare novit infundere, saucius ipse secus viam iaceat, nec medicam fratris manum, eamque lere proximam, providus sibi requirat. Heu quae passim consecuta sunt hodieque consequuntur, prorsus indigna coram Deo et Ecclesia, perniciosa christianae multitudini, indecora sacerdotali ordini!

Haec Nos, dilecti filii, pro conscientiae officio quum reputamus, oppletur animus aegritudine, et vox cum gemitu erumpit: *Vae sacerdoti, qui suum tenere locum nesciat, et nomen Dei sancti, cui esse sanctus debet, infideliter polluat! Optimorum corruptio, teterrimum: Grandis dignitas sacerdotum, sed grandis ruina eorum, si peccant: laetamur ad ascensum, sed timeamus ad lapsum: non est tanti gaudii excelsa tenuisse quanti moeroris de sublimioribus corruisse.*<sup>1</sup> *Vae igitur sacerdoti, qui, immemor sui, precandi studium deserit; qui piarum lectionum pabulum respuit; qui ad se ipse nunquam regreditur ut accusantis conscientiae exaudiat voces! neque crudescencia animi vulnera, neque Ecclesiae matris ploratus movebunt miserum, donec eae feriant terribiles minae: Excava cor populi huius, et aures eius aggravata: et oculos eius claudere: ne forte videat oculis suis, et auribus suis audiat, et corde suo intelligat, et convertatur, et sanem eum.*<sup>2</sup> Triste omen ab unoquoque vestrum dilecti filii, avertat dives in misericordia Deus, ipse qui Nostrum intuetur cor, nulla prorsus

<sup>1</sup> S. Hieron. in Ezech. I, xiii. c. 44, v. 30.

<sup>2</sup> Is. vi. 10.

in quemquam amaritudine affectum, sed omni pastoris et patris caritate in omnes permotum: *Quae est enim nostra spes, aut gaudium, aut corona gloriae? nonne vos ante Dominum nostrum Iesum Christum?*<sup>1</sup>

At videtis ipsi, quotquot ubique estis, quatenus in tempora, arcano Dei consilio, Ecclesia inciderit. Videte pariter et meditamini quam sanctum officium vos teneat, ut a qua tanto dignitatis honore dotati estis, eidem contendatis adesse et succurrere laboranti. Itaque in clero, si unquam alias, nunc opus maxime est virtute non mediocri; in exemplum integra, exacta, operosa, paratissima demum facere pro Christo et patri fortia. Neque aliud quidquam est quod cupidiores Nos animo precemur et optemus vobis, singulis et universis. In vobis igitur intemerato semper honore floreat castimonia, nostri ordinis lectissimum ornamentum; cuius nitore sacerdos, ut adsimilis efficitur angelis sic in christiana plebe venerabilior praestat sanctisque fructibus fecundior. Vigeat perpetuis auctibus reverentia et obedientia, iis solemni ritu promissa, quos divinus Spiritus rectores constituit Ecclesiae: praecipue in obsequio huic Sedi Apostolicae iustissime debito mentes animique arctioribus quotidie fidelitatis nexibus devinciatur. Excellatque in omnibus caritas, nullo modo quaerens quae sua sunt; ut, stimulis qui humanitus urgent invidiae contentionis cupidave ambitionis cohibitis, vestra omnium studia ad incrementa divinae gloriae fraterna aemulatione conspirent.

Vestrae beneficia caritatis *multitudo magna languentium, caecorum, claudorum, aridorum*, quam miserrima, expectat; vel maxime expectant densi adolescentum greges, civitatis et religionis spes carissima, fallaciis undique cincti et corruptelis. Studete alacres, non modo sacra catechesi impertienda, quod rursus enixiusque commendamus, sed, omni quacumque liceat ope consilii et sollertiae, bene optimeque mereri de omnibus. Sublevando, tutando, medendo, pacificando, hoc demum velitis ac propemodum sitiatis, lucrari vel obstringere animas Christo. Ab inimicis eius heu quam impigre, quam laboriose, quam non trepide agitur, instatur, exitio animarum immenso! Ob hanc potissime caritatis laudem Ecclesia catholica gaudet et gloriatur in clero suo, christianam pacem evangelizante, salutem atque humanitatem afferente, ad gentes usque barbaras: ubi ex magnis eius laboribus, profuso nonnumquam sanguine consecratis, Christi regnum latius in dies profertur, et fides sancta enitet novis palmis augustior. Quod si, dilectii filii, effusae caritatis vestrae officiis simultas, convicium, calumnia, ut persaepe fit,

responderit, nolite ideo tristitiae succumbere, *nolite deficere bene facientes*.<sup>1</sup> Ante oculos obversentur illorum agmina, numero meritisque insignia, qui per Apostolorum exempla, in contumeliis pro Christi nomine asperimur, *ibant gaudentes, maledicti benedicebant*. Nempe filii sumus fratresque Sanctorum, quorum nomina splendent in libro vitae, quorum laudes nuntiat Ecclesia : *non inferamus crimen gloriae nostrae*.<sup>2</sup>

Instaurato et aucto in ordinibus cleri spiritu gratiae sacerdotalis, multo quidem efficacius valebunt Nostra, Deo adspirante, proposita ad cetera, quaecumque late sunt, instauranda. Quapropter ad ea quae supra exposuimus, certa quaedam adiacere visum est, tamquam subsidia eidem gratiae custodiendae et alendae opportuna. Est primum, quod nemini sane non cognitum et probatum, sed non item omnibus re ipsa exploratum est, pius animae recessus ad Exercitia, quae vocant, spiritualia : annuus, si fieri possit, vel apud se singulatim, vel potius una cum aliis, unde largior esse fructus consuevit ; salvis Episcoporum praescriptis. Huius instituti utilitate iam Ipsi satis laudavimus, quum nonnulla in eodem genere ad cleri romanam disciplinam pertinentia ediximus.<sup>3</sup> Nec minus deinde proficiet animis, si consimilis recessus, ad paucas horas, menstruus, vel privatim vel communiter habeatur : quem morem libentes videmus pluribus iam locis inductum, ipsis Episcopis faventibus, atque interdum praesidentibus coetui. Aliud praeterea cordi est commendare : astrictiorem quandam sacerdotum, ut fratres addeet, inter se conjunctionem, quam episcopalis autoritas firmet ac moderetur. Id sane commendabile, quod in societatem coalescant ad mutuam opem in adversis parandam, ad nominis et munerum integritatem contra hostiles astus tuendam, ad alias istiusmodi causas. At pluris profecto interest, consociationem eos inire ad facultatem doctrinae sacrae excolendam, in primisque ad sanctum vocationis propositum impensiore cura retinendum, ad animarum provehendas rationes, consiliis viribusque collatis. Testantur Ecclesiae annales, quibus temporibus sacerdotes passim in communem quandam vitam conveniebant, quam bonis fructibus id genus societas abundavit. Tale aliquid quidni in hanc ipsam aetatem, congruenter quidem locis et muniis, revocare queat ? pristini etiam fructus, in gaudium Ecclesiae, nonne sint recte sperandi ? Nec vero desunt instituti similis societates, sacrorum Antistitum comprobatione auctae : eo utiliores, quo quis maturius, sub ipsa sacerdotii initia amplexatur.

<sup>1</sup> 2 Thess. iii. 13.

<sup>2</sup> 1 Mach. ix. 10.

<sup>3</sup> Ep. *Experiendo* ad Card. in urbe Vicarium, 27 dec. 1904. Cf. *Acta Pontificia*, vol. ii. pag. 351.



Nosmetipsi unam quamdam, bene aptam experti, fovimus in episcopali munere, eandem etiamnum aliasque singulari benevolentia prosequimur. Ista sacerdotalis gratiae adiumenta, eaque item quae vigil Episcoporum prudentia pro rerum opportunitate suggerat, vos, dilecti filii, sic aestimate, sic adhibete, ut magis in dies magisque *digne ambuletis vocatione qua vocati estis*,<sup>1</sup> ministerium vestrum honorificantes, et perficientes in vobis Dei voluntatem, quae nempe est *sanctificatio vestra*.

Huc enimvero feruntur praecipuae cogitationes curaeque Nostrae: propterea sublatis in caelum oculis, supplices Christi Domini voce super universum clerum frequenter iteramus: *Pater sancte . . . sanctifica eos*.<sup>2</sup> In qua pietate laetamur permultos ex omni fidelium ordine Nobiscum comprecantes habere, de communi vestro et Ecclesiae bono vehementer sollicitos: qui etiam iucundum accidit haud paucas esse generosioris virtutis animas, non solum in sacratis septis, sed in media ipsa saeculi consuetudine, quae ob eandem causam sese victimas Deo votivas non intermissa contentione exhibeant. Puras eximiasque eorum preces in odorem suavitatis summus Deus accipiat, neque humillimas abnuat preces Nostras. Faveat, exoramus, clemens idem et providus: atque e sanctissimo dilecti Filii sui Corde divitias gratiae, caritatis, virtutis omnis universum in clerum largiatur. Postremo, libet gratam ex animo vicem referre vobis, dilecti filii de votis faustitatis quae, appetente sacerdotii Nostrii natali, quinquagesimo, multiplici pietate obtulistis: vota pro vobis Nostrae, quo cumulatus eveniant, magnae Virgini Matri credita volumus, Apostolorum Reginae. Haec etenim illas sacri ordinis felices primitas exemplo suo edocuit quemadmodum perseverarent unanimes in oratione, donec induerentur superna virtute: eandemque ipsis virtutem multo sane ampliorem sua deprecatione impetravit, consilio auxit et communivit, ad fertilitatem laborum laetissimam. Optamus interea, dilecti filii, ut pax Christi exultet in cordibus vestris cum gaudio Spiritus Sancti; auspice Apostolica Benedictione, quam, vobis omnibus peramanti voluntate impertimus.

Datum Romae, apud Sanctum Petrum, die IV Augusti anno MCMVIII, Pontificatus Nostri ineunte sexto.

PIVS PP. X.

<sup>1</sup> Ephes. iv. 1.

<sup>2</sup> Ioan. xvii. 11, 17.

## CONSTITUTION AND RULES OF NEW TRIBUNALS, ETC.

ORDO SERVANDUS IN SACRIS CONGREGATIONIBUS, TRIBUNALIBUS,  
OFFICIIS ROMANAE CURIAE

## NORMAE COMMUNES

## CAP. I.—DE ORDINE AC DIRECTIONE GENERATIM.

1. In omnibus superius memoratis S. Sedis Officiis (*Ministeri*) duplex erit Administrorum coetus, Maiorum et Minorum.

2. In singulis moderatio proxima *Secretarius*, Protocolli, Tabularii, ad Praelatum pertinet qui alter est a Cardinali Praeside. A Praelato tamen erunt ad Cardinalem deferendae maioris momenti res, quibus peculiari aliquo modo sit consulendum.

In S. Rotae tribunali *secretaria*, protocolium, tabularium obnoxia sunt Auditori Decano, eoque impedito, Auditori qui primam sedem post decanum obtinet : hi tamen, ubi agatur de extraordinario aliquo consilio capiendo, rem deferent ad Collegium Auditorum universum.

3. Excepta S. Rota, cui propriis erit agendum normis, in ceteris Officiis omnibus, administri maiores, praeside Cardinali suo, Congressum constituunt.

4. Ad Congressum spectat minora negotia expendere atque expedire : de ceteris disponere et ordinare ut agantur in pleno sui cuiusque officii conventu.

5. Singula Officia sibi librum habebunt '*Rerum Notabilium*,' in quo rite indicentur nominationes, initique muneris dies Patrum Cardinalium, Consultorum, maioris et minoris ordinis Administrorum : datum iusiurandum, cessatio ab officio, et si qua forte pontificia rescripta immutationem aliquam circa cuiusque Officii competencias induxerint.

## CAP. II.—DE PROVISIONE OFFICIORUM.

1. Maiores Administri cuiusque Sacrae Congregationis, Tribunalis, Officii, a Summo Pontifice libere eligentur.

2. Minoribus eligendis administris titulorum doctrinaeque certamen proponetur.

Gratiosae suffragationes non admittuntur, earumque, si intercedant, ratio habebitur nulla.

3. Certamen indicetur intra mensem a vacuo officio, acceptis ante mandatis a Summo Pontifice. Assignabitur vero spatium utile unius mensis ad exhibendam petitionem ac titulos necesarios.

4. Periculum de doctrina erit scripto faciendum certo die, quo propositae ex tempore quaestiones evolventur circa discip-

linas ad petitum officium pertinentes. De proposita materia candidati in communi aula conscribent, designatis horis, advigilante Consultore aut aliquo ex minoribus eiusdem Officii administris, quem Praelatus moderator adlegerit.

5. Scripta, numeris distincta, non expresso candidati nomine, duo Consultores ordine excutient, a Congressu eligendi, et, si agatur de S. Rota, a Decano. Horum nomina Censorum occulta manebunt; iidemque quamprimum suum expriment scripto iudicium super exarata a candidatis, declarantes, quatenus ex iis, sive doctrinae laude, sive dicendi forma probentur; quatenus idonea tantum, quatenus improbanda censeantur.

6. Si Consultorum iudicia de idoneitate scripti secum pugnent, candidatus non idoneus habebitur deficientis causa doctrinae. Verum facultas erit Congressui, et apud S. Rotam Decano, in ea iudiciorum discrepantia, exquirendi, si necessarium aut aequum duxerint, Consultoris tertii suffragium, ad quem proinde remittentur priorum duorum iudicia, ut ipse proferat de summa lite sententiam.

7. Ut quis possit ad eligendorum scrutinium admitti, requiritur tamquam necessaria conditio ut probatus discesserit experimento doctrinae.

8. Scrutinium fiet a Congressu, et apud S. Rotam a Collegio Auditorum. Idem erit duplex, et in utroque suffragia erunt secreta.

In primo, suffragia ferentur de singulis candidatis, ut decernatur, quinam aetate, moribus, indole censeantur idonei. Qui paria suffragia retulerint iudicandi sunt non idonei.

In altero suffragia ferentur de singulis in primo scrutinio approbatis, ut decernatur quinam virtute, meritis, scientia, habilitate sit praeferendus. Paribus inter duos pluresve candidatos suffragiis, Cardinalis, qui Congressui praeerit, et apud S. Rotam Decanus, paritatem diriment.

9. De scrutinii exitu ad Summum Pontificem integre referetur, ut, Eo probante, ad candidati nominationem deveniri possit.

10. Rationes et modi, quibus lata sint suffragia sunt prorsus reticendi.

11. Litteras nominationis ad maiores Administros mittet Cardinalis a Secretis Status; ad minores mittent, in S. Rota Decanus, subscripto nomine alicuius Notarii; in ceteris Officiis suis cuiusque praeses Cardinalis, contra posita subscriptione more rescriptorum.

12. Deservientium nominatio, apud S. Rotam spectat ad Collegium Auditorum; apud Officia reliqua ad suum cuiusque Praesidem Cardinalem, proponentibus maioribus Administis.

13. In uno eodemque viro cumulare munia non licet; ideoque



qui ad novum adspiret munus, ad id semel assumptus, pristino cessit.

14. Ad unum idemque Officium prohibetur aditus duobus consanguineis in primo et secundo gradu, et affinibus in primo.

15. Minoribus administris, ubi inter ipsos vacaverit locus, us est adscensus titulo ministerii provectoris ; non ita ceteris.

### CAP. III.

Cuiusvis ordinis Administri, ante quam adsciscantur, iusiurandum dabunt, coram suo Praelato, 'de officio fideliter implendo, de non recipiendis muneribus etiam sponte oblatis, et de secreto servando,' secundum formulam heic adiectam, servata lege iis Officiis quibus peculiare et gravius iusiurandum imponitur, ut communi formae particularem addant.

#### IVRISIVRANDI FORMA.

#### IN NOMINE DOMINI.

Ego N.N. spondeo, voveo ac iuro, fidelem et obedientem me semper futurum B. Petro et Domino Nostro Papae eiusque legitimis Successoribus ; ministeria mihi commissa in hac S. Congregatione (Tribunali, aut Officio) sedulo ac diligenter implendum ; munera mihi in remunerationem, etiam sub specie doni oblata, non recepturum ; et secretum officii religiose servaturum in iis omnibus, quae sacri Canones aut Superiores secreta servari iusserint, itemque, quoties ab Ordinariis in postulatum fuerit, et quando ex revelatione alicuius actus praeiudicium partibus aut Ecclesiae obvenire potest. Sic me Deus adiuvet, et haec Sancta Dei Evangelia, quae meis manibus tango.

### CAP. IV.—DE HORIS AC DISCIPLINA OFFICIORUM.

1. Spatium temporis officio assignatum est matutinum, ab hora nona cum dimidio usque ad meridiem cum semihora, singulis diebus omnino feriatis. Per has horas administri omnes tenentur in officio esse, non remorari, nec ab ipso ante constitutum tempus discedere, incolumi eorum privilegio, quibus officii sui lex concesserit ut commissum opus possint exequi domi.

2. Est tamen Moderatoribus facultas concedendi singulis Administris diem unum vel duos vacationis in mense, modo talis concessio cum Officii necessitatibus componi queat. Eadem conditione quotannis aut unoquoque biennio dies aliquot, non ultra hebdomadam, singulis, concedere debebunt, ut piis exercitationibus vacent.

3. Morbo aut alia causa impediti quominus Officium adeant, rem Praelato significant.

4. Exceptis maioribus Administris, itemque scriba Protocolli, Diribitore atque aliis, qui sui muneris gratia debent se adeuntes excipere, ceteris non licet per horas officii visitantem quemquam admittere.

5. In sua quisque munia religiose et quam optime explenda incumbunt; nec fas erit cuiquam alienam occupare provinciam, aut in sui locum substituere quempiam, aut ipse alium sufficere.

6. Verum, si Praelatus id committat, quilibet Administer se promptum exhibebit ad subrogandos collegas, atque ad alia non communia pensa quae forte sint expedienda.

7. Erit curae omnibus, maxime iis qui praesunt, ne diu negotia iaceant. Danda igitur opera ut necessaria studia, ut actorum perscriptio, ut expeditio negotiorum ea sollicitudine procedant, quae naturae rerum tractandarum et normis Officii respondeant.

8. Quoties igitur designatae horae muneri explendo satis non sint, administri reliquum operis aut domi conficient, aut morabuntur in officio diutius, aut reverentur post meridiem, prout visum fuerit moderatori opportunus.

9. Quod si productus hic labor fere quotidianus evadat, moderatorum erit eum ex aequo remunerari.

10. Iidem Administorum nomina, qui doctrina, diligentia, rerum agendarum peritia, vitaeque honestate praecellant Summo Pontifici significanda curabunt.

11. Administro nemini licet *Agentis*, Procuratoris, Advocati partes assumere, neque in suo, neque in alieno Officio.

Unum eximitur procuratoris vel advocati munus in Sanctorum causis, quo munere fungi poterunt Administri minores ad SS. Rituum Congregationem non pertinentes.

12. Si quis Administer negligentia culpave suo officio defuerit, erit admonendus, aut aliqua poena multandus, aut loco movendus ad tempus, aut etiam omnino dimittendus, pro admissi gravitate aut redidendi frequentia.

13. Si autem a sacerdotis aut christiani viri aut civis officiis ita declinaverit, ut in ius rapi debuerit aut publicae existimationis iacturam fecerit, suo loco movebitur ad tempus, aut omnino dimittetur.

14. Aere alieno ita gravari ut aditus fiat sequestris iudicialibus, esse causa potest quamobrem quis ad certum tempus exuatur munere, aut etiam abdicare cogatur.

15. Publica inquisitione instituta de crimine adversus aliquem administrum, qui Officio praeest, officii ipsius honori tutando, simulque non gravando reo, providebit. Ad eum

finem curare poterit ut accusatus ab officio recedat, et partem stipendi retinere in remunerationem suffecti in eius locum.

16. Remotio ad tempus, expulsio aut officii amissio, multae poenaeque ceterae contra administrum decernentur, nullo provocationis iure relicto, apud S. Rotam a Collegio Auditorum ; in aliis vero Officiis a Cardinali Praeside, suffragante Congressu ; et in utroque casu audita parte per scriptum.

De temporaria remotione aut dimissione referendum est ad SSimum Dominum, ut has poenas ratas habeat.

#### CAP. V.—DE FERIIS.

1. Singulis diebus festis cum praecepto Officia vacabunt.

His adduntur :

Anniversarius dies creationis et coronationis Summi Pontificis.

Item obitus Decessoris.

Stati dies Consistoriis habendis sive publicis sive semipublicis.

Feria secunda et tertia Quinquagesimae, et quarta Cincrum.

Postremi dies quatuor maioris hebdomadae, et Feria secunda et tertia Paschatis.

Pervigilium Pentecostes et succedentes huic Festo dies, Feria secunda ac tertia.

Pervigilium Deiparae in caelum receptae.

Secundus dies mensis Novembris, in commemoratione Fidelium defunctorum.

Pervigilium Nativitatis Domini et consequentes tres dies.

Ultimus anni dies.

2. Feriatis diebus, Moderatores Officii curare poterunt ut aliquis ex administris Officium frequentet, expediturus negotia si quae forte occurrerint. Huic autem administro licebit vacationis dies alios petere.

3. A die decimo mensis Septembris ad trigesimum primum Octobris decurrent Feriae autumnales.

Hoc spatio temporis Officium nullum erit intermissum ; sed in unoquoque tot aderunt tum maioris tum minoris ordinis administri, quot satis esse existementur urgentioribus expendendis negotiis ordinariae administrationis ; maiorum enim tractationes, ac de gravioribus et implicationibus rebus deliberationes in mensem Novembrem differuntur. Quod si urgens rei gravitas postulet ut cito occurratur, intra merae necessitatis fines providebitur.

4. Qui feriarum tempore in officio versari debebunt, iis conceduntur vacationis dies quinque et quadraginta, sive intermissi, sive continui pro lubitu petentium, alio anni tempore ab iisdem



eligendo, habita tamen ratione necessitatum Officii, atque approbante Moderatore.

#### CAP. VI.—DE STIPENDIIS.

1. De medio sublatis emolumentis quae *incerta* vocari solent, administri omnes certo stipendio, eoque menstuo et ad honestam substantationem sufficienti, fruentur ex aerario Sanctae Sedis. Stipendii ratio pro variis administris proponetur in apposita tabula; incipietque vim habere pro iis qui in officia adscisentur post praesentem ordinationem, ac pro veteribus administris qui ad officia diversi gradus et conditionis advocentur.

2. Emolumentorum, seu *incertorum*, genus unicum derivari poterit minoribus administris ex opere in extrahendis ab archivio documentis impenso, ac transcriptione documentorum et processuum, si non ex officio fiant, sed instantibus partibus quarum intersit; dummodo tamen his rebus non detur opera horis officio destinatis, et praescripta servantur *Appendicis Legis propriae S. Rotae c. 2* de exigenda compensatione.

3. Qui in praesens cuiusvis gradus ac naturae officio funguntur, sua stipendia retinebunt tum ordinaria tum extraordinaria, quae tamen stabilitatis rationem habeant (*incerta certa*), et ad officium ipsum referantur; non quae speciem remunerationis praeseferant ob collocatam peculiarem operam aut extraordinarios ob titulos.

Eadem stipendia non aliunde solventur in posterum nisi ab aerario Sanctae Sedis.

4. Ut autem recti iustique servetur lex, intra mensem ab edita praesenti ordinatione, singuli qui variis Officiis praesunt ad Cardinalem *Secretarium Status* administratorum omnium deferent nomina, adiecto suo cuiusque stipendio, ad normam superiori numero descriptam.

Iidem Praesules, intra memoratum tempus, recensebunt onera sive perpetua sive temporaria, quibus Officia sua gravantur, et impensas Officii ordinarias.

5. Gradus et stipendia ad normam n. 3 sarta tectaue manebunt Administris eorum etiam Officiorum, quae ob novam Romanae Curiae ordinationem aut prorsus desierint, aut sint natura penitus immutata.

Huiusmodi autem administri a Sanctae Sedis nutu pendebunt, et, ubi eorum postuletur opera, ad eam praestandam debebunt sese promptos ac paratos exhibere.

6. Salvis iuribus a praesentibus administris acquisitis in quibusdam Officiis ad emeritum percipiendum, ceteris omnibus in posterum, qui sive aetatis ingravescentia, sive diutini morbi

causa, sustinendis rite muneribus impares fiant, Apostolica Sedes, quantum poterit, ex aequo providebit, curando ut sufficiantur ab aliis, et cavendo ne ipsis necessaria desint ad honestam sustentationem.

#### CAP. VII.—DE ADVOCATIS.

1. Firmo illorum iure qui modo legitimi habentur advocati, in posterum, ad ineundum hoc munus servandae erunt normae tit. III. *legis propriae S. Rotae* constitutae.

2. Exinde leges disciplinae vigeant in memorato titulo contentae, quibus aequae omnes erunt obnoxii.

3. Qui vero cupiat advocati munus exercere apud S. Rituum Congregationem in Sanctorum causis, is legitimum sibi titulum comparet Advocati rotalis, ceterisque satisfaciatur consuetudinis formis, quae ab eo Sacro Consilio praescripta sunt.

#### CAP. VIII.—DE MINISTRIS EXPEDITIONUM.

1. Privilegium *exclusivae*, quo Apostolici Ministri expeditionum in Datararie Officio fruuntur, ubi primum habere vim coeperit Constitutio *Sapienti consilio*, cessabit.

2. Est autem Sanctae Sedis propositum de ministrorum expeditionum, qui modo sunt, conditione ac statu cognoscere, ut in peculiaribus casibus ea possit inire consilia, quae magis aequa et opportuna iudicaverit.

#### CAP. IX.—DE PROCURATORIBUS SEU AGENTIBUS.

##### SECTION I.—*De procuratoribus particularibus et privatis.*

1. Qui ad Sanctam Sedem recurrens sui particularis ac privati negotii causa uti opera velit procuratoris, potest ad id munus deputare quemlibet suae fiducia virum, dummodo catholicum, integra fama, et ad officium, in quo agenda sit res, minime pertinentem. Praeterea oportet eundem legitimo mandato munire quod in Actis, ad ipsius Officii cautionem, servabitur; aut si minus apud Moderatores eiusdem in tuto ponere delecti viri honestatem et requisitas condiciones.

2. Si exhibitum virum Moderatores iudicaverint admitti non posse, certiore facient mandantem, ut aliter consulat.

##### SECTIO II.—*De Procuratoribus publicis ac legitimis.*

3. Ad procuratoris munus legitime et constanter obeundum pro Episcopo eiusque dioecesi, oportet inscriptum habere nomen

in Procuratorum, albo, quod patebit in Officio a Secretis Sacrae Congregationis Consistorialis.

4. Salvis iuribus acquisitis ab exercentibus hodie munus *Agentium* seu ministrorum expeditionis, qui, ubi postulaverint, in memoratum album referentur, posthac quicumque volet inscribi debet petitionem, cum titulis buibus illa nititur, exhibere Adessori S. C. Consistorialis.

5. Ad iustam admissionem requiritur ut orator catholicam fidem profiteatur, si integra fama, calleatque satis latinum sermonem et ius canonicum. Si agatur de sacri ordinis viro, oportet ab Officio Urbis Vicarii adensum impetret Romae residendi; religiosus autem sodalis id a Praeposito generali impetrabit.

6. Iudicium de petitione, utrum ea admitti possit necne, edetur a Cardinali a Secretis S. C. Consistorialis, audito *congressu*; qui, ut magis explorata sit candidati doctrina, poterit ipsum experimento subiicere, prout melius iudicaverit.

7. Nihil obstat quominus Ordinarius procuratorem eligat virum nondum in album relatum; qui tamen, ante quam exerceat mandatum, inscriptionem postulabit.

Hoc autem in casu Ordinariorum prudentiae relinquitur ante videre, num cui forte obstaculo, propositus procurator esse possit obnoxius, ne sese repulsae periculo obiiciant.

8. Praeter inscriptionem in album, ut quis publicus habeatur et stabilis procurator dioecesanus, necessario requiritur iustum Ordinarii mandatum ab adlecto exhibendum, cuius mandati authenticum exemplar apud Officium a Secretis Consistorialis Congregationis deponetur.

9. Munerum a procuratore dioecesano explendorum haec summa est: curare ut epistolarum commercium inter Apostolicam Sedem et Episcopum, de omnibus dioecesis negotiis, rite et cum fide procedat; ea referre, de quibus Officio alicui praepositi, in rebus ad ipsum pertinentibus, eum sint percontati; in cognitione versari negotiorum, quae apud varia Sanctae Sedis Officia evolvuntur spectantque dioecesim, cuius habet ipse procuracionem.

10. Quae scripta data sint obsignata, inviolata transmittenda sunt; neve procurator unquam ullave de causa sibi fas esse ducat ea resignare. Qua in re cuiusvis generis culpa censebitur gravis.

11. Circa res omnes dioecesis, quarum, ratione, sui muneris notitiam acceperit, nisi agatur de re publica et notoria, procurator secreto officii tenetur. Huius legis violatio culpae gravis instar habebitur.

12. Procuratoribus interdicitur ne litteras passim dimittant ad clientum aucupium, exhibentes faciliores condiciones aut similia.

13. Nemin' procuratori licet pro sua opera maiorem pecuniae



summam exigere quam quae pro rescriptis, brevibus, bullis officiorum Sanctae Sedis constituta sit atque descripta : quam qui fregerit legem, restitutiones obligatione tenebitur, etiam poenis aliis non irrogatis.

14. Qui christiano plane more non agat, quae conditio ad exercendum procuratoris munus est omnino necessaria, aut in memoratis officii sui partibus grave aliquid admittat, potest ad tempus removeri, aut etiam perpetuo dimitti.

15. Advocatorum Consistorialium Collegium erit *agentibus* seu procuratoribus omnibus instar Concilii disciplinae. Ex eius Collegii sententia, Cardinalis a Secretis S. C. Consistorialis (si agatur de prave acta vita sociali vel de alia publice nota culpa) ; aut praepositi Officio, cuius intersit (si de culpa officium spectante), poterunt ad admonitionem rei, aut ad eius remotionem sive temporariam sive perpetuam procedere.

16. Procurator, sive remotus ad tempus sive perpetuo dimissus ab uno officio, hoc ipso remotus censetur, aut omnino exclusus ab omnibus. Quare praepositi Officio, a quo eiusmodi sit prolata sententia, ceteris Officiis rem significandam curabunt.

## CAP. X.—DE RATIONE ADEUNDI SANCTAE SEDIS OFFICIA CUM IISQUE AGENDI GENERATIM.

### SECTION I.—*Pro Privatis.*

1. Christi fideli cuique patet aditus ad Sanctae Sedis Officia, servata rite forma quae decet, et facultas est cum iisdem agendi per se de suis negotiis.

2. Advocati opera uti volenti, in quaestionibus quae illum admittant, fas non erit patronum proponere quemlibet ; sed optio ei dabitur inter approbatos, de quibus cap. VII.

3. Si vero Procuratoris desideret operam, eius eligendi arbitrium ipsi relinquitur, servatis tamen normis cap. IX sect. I constitutis.

### SECTIO II.—*Pro Ordinariis.*

4. Ordinarius unusquisque potest ipse per se in variis Apostolicae Sedis Officiis negotia libere tractare, non solum quae se ipsum spectent, sed etiam quae dioecesim ac sibi subditos fideles ad ipsum confugientes.

5. Quoties Ordinarius velit ipse per se de negotio aliquo agere, sive praesens in Curia, sive per litteras a sua sede mittendas, Officium praemonebit quocum ei erit agendum. Tunc

vero in Positione adnotabitur : *Personalis pro Ordinario* ; resque nullis interpositis procuratoribus agetur.

6. Ordinarius, qui petit directo agere cum Officio aliquo, sibi assumit solvendas impensas, non modo pro acceptis redditisque litteris et scriptis, aut pro aliis rebus necessariis, sed etiam pro taxationibus praescriptis in singulis actis.

7. Si advocatione fuerit opus, etiam Ordinariis cohibetur optio, ita ut nequeant ipsum deligere nisi ex approbatis.

8. Si procuratore uti velint, normis inhaerebunt cap. IX sect. II declaratis.

9. Mandatum, quo ab Ordinario procurator eligitur, potest usque rescindi ad formam iuris communis ; in eamque rescissionem, utpote rem ad fiduciam pertinentem, nulla datur inquirendi aut expostulandi facultas.

10. Vicario Capitulari non licet, electum ab Episcopo procuratorem cum alio mutare ; at poterit cum Sanctae Sedis Officiis directo agere, ad normam art. 4, 5, 6 huius Sectionis.

#### CAP. XI.—DE TAXATIONIBUS ET PROCURATIONIBUS.

1. In omni rescripto, indulto, dispensatione, a suo Officio indicabitur, non modo taxatio Sanctae Sedi solvenda et remuneratio Agenti debita, sed etiam pecuniae summa, cuius repetendae ius habet dioecesana Curia pro exsequutione rescriptorum, si haec necessaria sit ; quae quidem summa pontificia taxatione erit inferior.

2. Taxatio pauperibus, sive cives privati sint, sive Instituti pieve causae, si petita gratia moraliter necessaria sit, non lucrosa oratori, ita ut hic nullum possit ex ea quaestum facere, ex dimidia parte minuetur, aut etiam, si visum fuerit, omnino condonabitur, integris tamen oratori manentibus impensis pro tabellariis, pro exscriptione, aliisque ad genus necessariis.

His in casibus, etiam Agentis procuratio ad partem dimidiam redigetur aut omnino condonabitur, salvis impensis pro tabellariis.

3. Ordinarii, secreto percontati parochos, quae vera sit oratorum conditio, significabunt in singulis casibus, agaturne de paupere, aut quasi paupere, ideoque competat ne ipsis ius ad plenam aut dimidiatam condonationem taxationis, onerata utriusque partis conscientia super expositorum veritate ; contra quam si actum fuerit, firma restat obligatio sarcienti quidquid iniuria sublatum sit.

Si qui autem iniqua voluntate renuant satisfacere taxationem ad aliquam consequendam dispensationem praescriptam, cuius tamen concessio sit moraliter necessaria ad offendicula et peccata vitanda, hoc erit ab Ordinariis indicandum in suis

litteris. Iidem, impetratae gratiae notitiam communicantes cum iis quorum interest, eos commonebunt (si opportune id fieri prudenterque licebit ab ipsis) ex iustitia, aliquid Sanctae Sedi deberi.

Utrumque tamen gratiae validitati nihil unquam officiet error aut fraus circa oeconomicam petentis conditionem.

4. In omnibus Officiis, subsignatis rescriptis, destinatus administer, peculiari super ipsis impresso sigillo, taxationem notabit Sanctae Sedi debitam, impensas procurationis et pecuniae summam pro executione: quae omnia in menstruo libello recensebit, ad rationum computationem suique cautionem adservando.

In variis taxationibus designandis administer prae oculis habebit superius expositas normas *Positionem*, seu fasciculum actorum expendens; in dubiis vero rem ad Officii moderatores deferet.

5. Singula Officia alterum habebunt a priore distinctum administrum diribendis litteris, rescriptis, et exigendae pecuniae taxationum ad Sanctam Sedem pertinentium.

6. In rebus secreto tegendis rescripta obserata tradentur; taxatio vero in alio notabitur folio eundem numerum referente qui in obserato rescripto. Eadem taxationis notatio in interiore rescripti pagina iterabitur, ad securitatem recipientis.

7. Extremo quoque mense, Praelatus Officii moderator libellum inspiciet, de quo num. 4, acceptique rationem expendet; deinde utrumque ad Sanctae Sedis arcam nummariam deferet, suae auctoritatis testimonio munitum.

#### DISPOSITIONES GENERALES.

8. Officiorum administrationem totam illico retexere quum minime detur, Sancta Sedes sibi reservat peculiare normas constituere servandas in posterum.

9. Interim nulla fiet immutatio taxationum quae legitime in usu sunt pro expeditione *Bullarum* et *Brevium* Apostolicorum.

10. Pariter in usu esse non desinunt eae taxationes, quae in causis Beatificationis aut Canonizationis descriptae habentur in lege SS. Rituum Congregationis: *de taxis et impensis pro causis Servorum Dei*.

11. Sua etiam disciplina est moderandarum taxationum, mercedium, impensarum apud S. Rotam et Signaturam Apostolicam in causis quae ad ea tribunalia deferantur.

12. Pro dispensationibus matrimonii vigere quoque pergent in praesens taxationes pendi solitae penes *Datariam* Apostolicam et *S. Poenitentiarium*. In causis vero matrimonialibus dispen-



sationis *super rato*, et in aliis quae a S. Congregatione *de Sacramentis* iudicantur, standum normis a S. Congregatione Concilii huc usque servatis.

13. Pro ceteris gratiarum, indultorum, dispensationum rescriptis, in Officiis omnibus, taxatio Sanctae Sedi solvenda erit libellarum decem, si de maioribus rescriptis agatur ; si de minoribus quinque.

Remuneratio *Agenti* debita erit libellarum sex pro rescriptis maioribus : pro minoribus, trium.

Si rescriptum unum plures gratias contineat, augebitur proportionem taxatio ; non ita tamen *Agentis* procuratio.

14. In omnibus autem et singulis casibus superius, num. 9, 10, 11, 12 et 13, recensitis, incolumes semper sint dispositiones capitis VI precedentis, *de stipendiis*, et dispositiones num. 4, 5, 6 et 7 huius capitis, de solutione pecuniae singulis mensibus arcae nummariae S. Sedis facienda.

15. Usus S. Congregationis de Propaganda Fide exemptionis e qualibet taxatione in suae iurisdictionis locis incolumis servetur.

Datum Romae, die 29 Iunii 1908.

*De mandato speciali SSmi. D. N. Pii Papae X.*

R. Card. MERRY DEL VAL.

## ELEVATION OF THE FEAST OF THE SEVEN DOLOURS

SS. RITUM CONGREGATIO

URBIS ET ORBIS

DECRETUM QUO FESTUM SEPTEM DOLORUM B.M.V. DOMINICAE  
TERTIAE SEPTEMBRIS AFFIXUM, AD RITUM DUPLICEM SECUNDAE  
CLASSIS ELEVATUR PRO UNIVERSA ECCLESIA

Dolores Virginis Deiparae etsi duplici festo in universa Ecclesia per annum recolantur, videlicet feria sexta post Dominicam Passionis ac Dominica tertia Septembris ; utrumque tamen festum mobile Beatae Mariae Virginis, utpote secundarium, sub ritu duplici tantummodo maiori celebratur. Quo vero eiusdem Virginis Perdolentis cultus augeatur, et fidelium pietas gratique animi sensus magis magisque foveantur erga misericordem humani generis Conredemptricem ; Revm̃s Pater Prior generalis Ordinis Servorum B.M.V., qui potissimum ipsam Matrem Dolorosam veluti suam Conditricem et praecipuam Patronam venerantur, occasionem nactus qua proxime adfuturo Septembri (mense Virginis Doloribus recolendis sacro) quinquagesimus annus ab

inito sacerdotio Sanctissimi Domini Nostri Pii Papae X feliciter completur, supplicibus votis totius Regularis Familiae eundem Sanctissimum Dominum Nostrum rogavit, ut etiam ad perennem rei memoriam, festum Septem Dolorum B.M.V., Dominicae tertiae Septembris affixum, ad ritum duplicem saltem secundae classis pro universa Ecclesia elevare dignaretur. Sanctitas porro Sua, referente infrascripto Cardinali Sacrorum Rituum Congregationi Praefecto, eiusmodi preces peramanter excipiens, festum Septem Dolorum B.M.V., quod enunciatae Dominicae adsignatum fuit, in posterum sub ritu duplici secundae classis ubique recolendum decrevit: servatis Rubricis. Contrariis non obstantibus quibuscumque.

Dei 13 Maii 1908.

L. ✠ S.

S. Card. CRETONI, *Praefectus*.

✠ D. PANICI, *Archiep. Laodicen., Secretarius*.

#### COMMEMORATION IN VESPERS

##### ATREBATEN.

DUBIA DE ORDINE SERVANDO CIRCA COMMEMORATIONES IN  
SECUNDIS VESPERIS ET DE VERSU 'FIDELIUM ANIMAE'

R. D. Onesimus Machez, magister caeremoniarum ecclesiae cathedralis Atrebaten., et extensor Kalendarii dioecesani, de licentia sui Rm̃i Episcopi, a Sacrorum Rituum Congregatione insequentium dubiorum solutionem humillime flagitat, nimirum:

I. Quando celebratur festum duplex Dominica infra Octavam communem, ponitur in Laudibus commemoratio Dominicae, deinde Octavae; debetne in secundis Vesperis idem ordo servari pro commemorationibus, si feria secunda sequenti fit Officium de die infra Octavam, vel poni primo loco commemoratio Octavae?

II. Quando feria VI post Octavam Ascensionis recolitur festum duplex aut semiduplex quod in secundis Vesperis concurrat cum festo eiusdem ritus ob Vigiliam Pentecostes simplificando, debetne prius fieri commemoratio huius festi simpliciati ac postea feriae aut inversus ordo servari?

III. Post Horam tertiam quae praecedat Missam pontificalem, Episcopus celebrans debetne, dicto per chorum '*Benedicamus Domino*' omittere versum '*Fidelium animae*'?

Et sacra eadem Congregatio, ad relationem subscripti Secretarii, exquisito Commissionis Liturgicae suffragio, omnibus sedulo perpensis, rescribendum censuit:

*Ad I et II Negative ad primam partem, affirmative ad secundam, iuxta decretum n. 3843 Commemorationum in Vesperis 5 Februarii 1895 quia habetur concursus, et commemoratio sumatur e primis Vesperis iuxta Rubricas.*

*Ad III. Affirmative in casu.*

Atque ita rescripsit, die 5 Iunii 1908.

L. ✠ S.

S. Card. CRETONI, *Praefectus*.

✠ D. PANICI, *Archiep. Laodicen., Secretarius*.

# VOTIVE MASSES OF BLESSED SACRAMENT AND IMMACULATE CONCEPTION

## OSNABRUGEN

CIRCA INDULTA OFFICIORUM VOTIVORUM DE SS. SACRAMENTO ET DE IMMACULATA CONCEPTIONE B.M.V.

Postulato Rm̃i Dñi Episcopi Osnabrugen. Provicarii Apostolici Missionum Germaniae Septemtrionalis et Administratoris Praefecturae Apostolicae Slevigis Holsatiae: 'utrum Officia votiva antiqua de praecepto recitanda singulis feriis quintis non impeditis de SSm̃o Sacramento, et singulis Sabbatis item non impeditis de Immaculata Conceptione B.M.V., sint revocata per nova Officia votiva ad libitum recitanda et concessa cum decreto generali n. 3581 *Urbis et Orbis* 5 Iulii 1883?' Sacra Rituum Congregatio, referente subscripto Secretario, auditoque voto Commissionis Liturgicae, respondendum censuit:

*'Negative, nisi expresse renunciatum fuerit antiquis indultis, iuxta ipsum citatum decretum, ubi in fine ad I legitur: Firmis remanentibus aliis votivorum Officiorum indultis quibuscumque iam concessis.'* Atque ita rescripsit, die 5 Iunii 1908.

L. ✠ S.

S. Card. CRETONI, *Praefectus*.

✠ D. PANICI, *Archiep. Laodicen., Secretarius*.



## NOTICES OF BOOKS

THE IRISH DAMES OF YPRES. Being a History of the Royal Irish Abbey of Ypres, and some Account of Irish Jacobitism. By the Rev. Dom Patrick Nolan, O.S.B. Dublin: Browne and Nolan, Ltd. 1908. Price 10s. 6d. net.

THIS is one of the most fascinating volumes that has come from the press in Ireland for many a year. It is an account of the famous Irish Abbey of Ypres, where so many immortal souvenirs of Ireland's glorious struggle for the faith are still preserved. It is well that they should have been collected and rescued from oblivion before time had done its work, and they had been either dispersed or defaced. This pious task was undertaken by Dom Patrick Nolan, and very nobly has he fulfilled it. He has left nothing undone to present us with the true picture of this grand old Abbey and to trace the varying fortunes and vicissitudes of its history. And he has illustrated his volume with fine engravings, not only of the Abbey and its Abbesses and benefactors, but of many of the historic pictures and parchments, and objects of interest that it still contains.

Thus, for instance, we have a beautiful reproduction of the famous 'Flag of Ramillies,' the trophy of the Irish Brigade,

'The flags we conquered in that fray  
Look lone in Ypres' choir to-day.'

We have a piece of lace worked by the hands of Mary Queen of Scots, and presented by James II to the Irish Dames of Ypres, to whom he was devotedly attached. We have the Charter granted by the same King James to Abbess Butler, sister of the Duke of Ormonde, for the establishment of a house of the Order in Dublin.

Father Nolan gives a very interesting account of the death of Lord Clare, and of the connexion of his widow and his kinswoman, Dame Clare, as she was called, with the Abbey of Ypres:—

'In the cloister of Ypres a banner is swaying  
And by it a pale weeping maiden is praying;  
The flag's the sole trophy of Ramillies fray,  
The nun is poor Eily, the rose of Finae.'

Another very interesting episode is the attempt made by

Dame Butler to establish a Benedictine House in Dublin, in connexion with the Duchess of Tyrconnell in the days of James II.

The unfortunate Stuarts were always the friends and supporters of the nuns, and their adherents remained faithful to them in after days. The volume abounds in Jacobite memoirs, letters, and details.

But perhaps one of the most interesting features of the volume is the letter of dedication of Dom Patrick himself to the Abbot Primate of the Benedictine Order, Dom Benedict Hemptinne, who was Abbot of Maredsous when Father Nolan joined the Benedictine Order. I do not wish to spoil the pleasure of readers of the work, as valuable and well done as it is modest and unpretentious in the author's own estimate, by going more into the details of its merit. All I can say is that it seems to me a production of which both the author and publishers have reason to be proud.

J. F. H.

SUMMULA PHILOSOPHIAE SCHOLASTICAE in usum adolescentium a J. S. Hickey, O Cist. Concinnata. Vol. I, Logica et Ontologia; Editio Altera, aucta, emendata, iudicibus locupleta. Dublin: Browne and Nolan, Ltd.; New York: Benziger; Rome: Pustet.

WE are glad to be able to bring under the notice of our readers, this *second edition* of the first volume of Father Hickey's recently published course of Philosophy. The early appearance of a second edition speaks well for the popularity of the book. There is no need to repeat here the words of commendation with which we welcomed the first edition. The additions, corrections, and particularly the two indexes, enhance the value of the present volume. We trust the Rev. Author will soon be able to deal in a similar manner with the remaining two volumes.

P. C.

Seánmóirí Muirge Nuasádo. An Tíear Imleabair. Dublin: M. H. Gill & Son. Price 2s. 6d.

THIS is the third volume of Irish Sermons which has been published by the students of the League of St. Columba, in Maynooth. They have been faithfully copied from the Irish MSS. preserved in the College Library; and as the sermons contained in these were composed by men from all parts of the country, by priests from Connaught, East Munster, West Munster, and Ulster, they are especially valuable as illustrating the peculiar idioms and usages of the different provinces. They are valuable, too, because they were composed at a time when

Irish was the ordinary language of the people and priests, and when, therefore, the Irish idiom and literary form were comparatively speaking uninfluenced by English modes of thought and speech. From these points of view they should receive a warm welcome, not alone from priests and ecclesiastical students, but from every student of Irish who aims at a correct and forcible literary style.

The present volume contains twelve sermons. There is, generally speaking, no indication of the name of the author, or of the date or of the place in which they were composed, but from the language and idiom it is clear that the second sermon ( $\Delta\mu\ \alpha\eta\ \Upsilon\pi\eta\alpha\gamma\epsilon$ ) was written by a native of East Ulster; the sixth ( $\Delta\mu\ \text{P}\mu\gamma\alpha\sigma\acute{o}\mu$ ), ninth ( $\tau\omicron\gamma\beta\acute{\alpha}\iota\lambda\ \eta\alpha\ \mu\alpha\gamma\acute{o}\mu\epsilon\ \mu\mu\eta\epsilon$ ), and probably the tenth ( $\Delta\mu\ \alpha\eta\ \mu\beta\acute{\alpha}\rho$ ) by a Connaught or Ulster preacher; the eighth ( $\mu\alpha\sigma\mu\ \text{P}\epsilon\alpha\sigma\alpha\mu\ \alpha\zeta\upsilon\mu\ \mu\alpha\sigma\mu\ \rho\acute{o}\lambda$ ) by a native of the Decies, while the remainder are probably of Munster origin. The editors were anxious to give an account of the authors, but they had not the necessary information, and should feel obliged to any of the readers who would assist them with information on this subject. They would embody it in the fourth and last volume which they hope to publish early next year. They hope, too, when the whole series is complete to publish, for the convenience of their readers, a short vocabulary giving an explanation of the more usual words contained in the four volumes.

The sermons contained in the present volume deal with such subjects as Prayer, The Paraclete, Penance, The Sunday, Purgatory, Restitution, Nativity of the Blessed Virgin Mary, Death, and Judgment, while the last is a short panegyric on the life and labours of St. Columbanus. Glancing over the pages of these sermons one could not fail being struck at the abundant use of the Scriptures, of the Old Testament as well as the New, made by the preachers. Were there no other proof this series of sermons would in itself be sufficient to prove that the Catholic clergy in Ireland at the end of the eighteenth and beginning of the nineteenth century were remarkably well versed in Scriptural lore, so well, in fact, that we doubt very much if we could find their equals even among the ablest preachers of to-day. This is in itself a very important testimony to the state of education among the Irish clergy at a time when for many reasons we should not have expected a very high standard. The clearness, arrangement, and sound theological principles displayed in the treatment of the various subjects are also worthy of serious attention and of imitation.



This series of sermons is a testimony to the warm interest taken in the Irish movement by the students of Maynooth College, and not alone to their interest but to their anxiety to help the movement by sound practical work. Nor should we forget that the Maynooth Union generously supplied the funds for the publication. If for no other reason the students of Maynooth ought to be proud of their Union. J. MACC.

THE INQUISITION. A Critical and Historical Study of the Coercive Power of the Church. By E. Vacandard. Translated by Bertrand L. Conway, C.S.P. Longmans, Green & Co. 1908.

THE English-speaking public will be grateful to the translator for having placed in their hands such an accurate and agreeable version of Vacandard's well-known book on the Inquisition. The volumes of Lea on the same subjects were received as almost the final judgment upon this great Middle Age institution, but, as M. Vacandard points out: 'Honest he (Lea) may be, but impartial never. His pen too often gives way to his prejudices and his hatred of the Catholic Church. His critical judgment is sometimes gravely at fault.'

M. Vacandard did not set himself to write a complete history of the Inquisition. He merely proposed to examine the circumstances of the time, to point out how the Inquisition was a natural development of the historic setting of the period especially in view of the previous teaching of the Church on her right to exercise coercive power. In the first three chapters (pp. 1-41) he examines the attitude of the Church in regard to the punishment of heresy in the early days, and later on when the union of Church and State had been practically effected. He next examines the changes in the code after the time of Grætian, the anti-Christian and anti-social nature of many of the Middle Age heresies, the foundation and development of the Inquisition, its methods of procedure and punishment, while he devotes the last chapter to a criticism of the theory and practice of the Inquisition.

The story of the Inquisition is not all agreeable reading, but if it be considered in its historical setting, as M. Vacandard has considered it, it will be seen to have been a natural development of the coercive power, which the Church always claimed, in an age when the union of Church and State was so close, and when both were attacked by the preachers of the new doctrines.

J. MACC.

THE LIFE OF ANTONIO ROSMINI-SERBATI. Translated from the Italian of the Rev. G. B. Pagani, Provincial of the Institute of Charity in Italy; with a Preface by the Bishop of Salford. London: Routledge; New York: Dutton & Co. 8vo, 500 pp.

MANY of our priests are familiar with the name of Rosmini only through the pages of some treatise on Philosophy, like that of Cardinal Zigliara. They remember Rosmini only as the propounder of certain philosophical opinions which ran more or less counter to some of the traditional philosophical teaching in the Catholic schools, and which, consequently, brought their author into disfavour for a time. But the beautiful priestly and saintly life of the author, the magnitude and enduring value of his life-work to the Church of which he was a shining light, the vast extent and diversity and fertility of his missionary labours, the foundation of the Institute of Charity by his unaided and persevering efforts, the wealth of inspiration to be derived by the missionary priest from the study of such a life: these are things that might with much profit be more familiar than they are to the majority of priests. They will be found in the present biography, and presented in a style that will make an acquaintance with them no less pleasant and interesting than instructive. The book was ably written and is well translated. It is also well printed. It is a volume which we can recommend without hesitation to the priest who may desire to read occasionally something which will entertain him while it stimulates him to the realization of a high and true conception of priestly life and duty.

P. C.

JESUS OF NAZARETH: The Story of His Life, told to Children. By Mother Mary Loyola. London: Burns and Oates. Price, 5s. net.

THE writer informs us in the Preface that the publication of this book is due to an 'earnest invitation sent from America.' At first sight one is inclined to agree that a word of apology is necessary. Are there not classical works written by Abbé Fouard and Père Didon on the Life of Christ? And why should these be withdrawn from the attention of readers to give place to a work which cannot claim to belong to the same category? Yet, excellent as are Fouard's and Didon's Lives, they are not suitable for all. They are too much permeated with the critical spirit to be useful reading for children, and the uneducated. Mother Loyola caters for the former class, but I venture to say the book will be read and appreciated by more than children.

The aim proposed is 'to strengthen Faith in our Lord's Divinity, and to draw the hearts of children to Him by a personal love.' For this purpose the whole narrative from the Gospels is not treated in detail, but the sermons and incidents of Christ's life which show His Divinity, or which impress a useful moral lesson, are carefully considered and set forth. Do not the words of our Lord, however, and the various incidents at the Last Supper as related by St. John, deserve fuller treatment? What part of the Gospels throw into greater prominence the human and sympathetic Personality of Christ and His Adorable Divinity? But the work cannot be judged from a few passages. It must be taken as a whole, and it is certainly calculated to inspire love and reverence in the hearts of all children.

Mother Loyola knows well the theory of teaching young minds, and in this story she has put her knowledge into practice. The minds of children cannot be reached except through concrete thoughts and simplicity of expression; not a page of this book violates either of these canons. The various events discussed are treated with so much simplicity and clearness as to be understood by the most uneducated, and they are put forward with so much fulness of detail and wealth of imagery as to attract the attention of the most listless. A special word of praise is due for the ample use she has made of the words of the New Testament, and for the admirable manner in which she entwines them in the narrative. The value of the book, from an instructive and an educational view-point, is greatly enhanced by a large number of plates representing the works of the best masters—of Fra Angelico, Guido Reni, Titian, Perugino, Rembrandt, and others. There is every reason to think that the writer's hopes will be realized, and that 'this book will help children to withstand the infidelity of the day, and lead them to a personal love of Jesus Christ.'

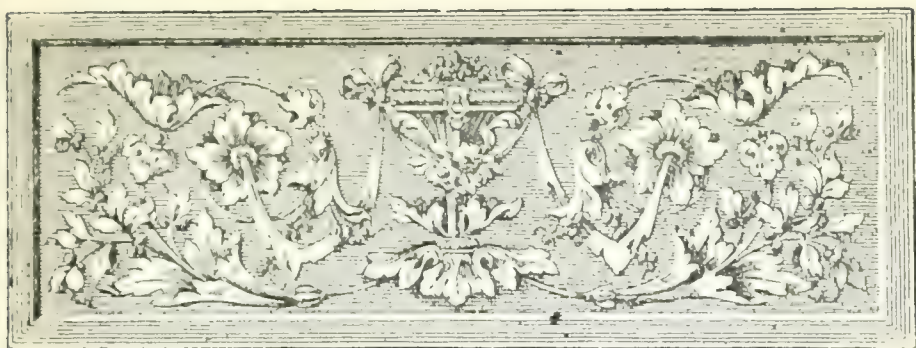
The work would form a valuable volume for the 'Automatic Parochial Circulating Library,' so warmly recommended by the Maynooth Decrees.

D. M.

### A CORRECTION

The Rev. W. M'Loughlin of Mount Melleray, in his book, *The Crucifix*, recommended for spiritual reading the work of Mother Mary of Agreda. He has since learned that the work has been disapproved by the Holy See, and he wishes it to be known that the error has been corrected in the second edition of *The Crucifix*. —Ed. I. E. RECORD.





## SOCIALISM : ITS DEVELOPMENT AND PROGRAMME

**S**Ocialism, as understood by the great mass of its partisans,<sup>1</sup> advocates the collective ownership of property in land, of all capital, materials of labour and means of production, as well as the collective control of the distribution of produce and methods of exchange by a democratic state in the interests of the entire community. It proposes the complete emancipation of labour from the domination of capitalism and traditional proprietorship, the concentration in the hands of the state authorities of land, raw material, funded capital, instruments of production, insurance companies, banks, electric power, machinery, manufactures, railways, mines, education, the abolition of vested interests, of private property in the sense in which it has hitherto been understood, of privileged classes, of trusts,<sup>2</sup> syndicates, and limited companies, and the establishment of social and economic equality among the sexes. Indeed according to the most orthodox and consistent members of the school, there is no form of human activity, no impulse of the heart, conception of the mind, or outcome of individual genius that would not be subjected to the control of the new Leviathan. Nor is religion excluded from this universal servitude. Man's relation to the author

<sup>1</sup> See *The Quintessence of Socialism*, by Dr. A. Schäffle ; pp. 4-7.

<sup>2</sup> *The Socialist Movement in England*, Brougham Villiers, p. 225.

of his being, to the unknown, to the unseen, to the world of shadows and of mystery that lies beyond us, will be defined for him; and if the high priests of the new cult are to build him, he will be asked to trouble himself as little as possible about a future world, and devote all his energy in this to production, or the satisfaction of his appetites, or the material welfare of the commonwealth.

There are, I know quite well, varieties of socialism. There are evolutionary and revolutionary socialists. There are English and Irish socialists who reject certain articles of the German programme. There are German socialists who disagree among themselves. There are French socialists who repudiate the 'Internationale.' There are the 'Socialistes Unifiés' (orthodox whole-hoggers), and the 'Socialistes Progressivistes' (opportunists who are excommunicated). There are the 'Socialistes Rouges' and the 'Socialistes Jaunes,' the 'Socialistes Radicaux' and 'Socialistes d'Etat.' There are English and Irish socialists, and some abroad, who would leave religion outside the new combination until they felt strong enough to include it.

There were certain Catholics in France, Austria, and Italy of strong radical tendencies who felt inclined to adopt the name of 'Catholic Socialists' or 'Christian Socialists' until the Encyclical of Pope Leo XIII *On the Condition of Labour* appeared.<sup>1</sup> The appellation was then gradually dropped by the most reputable of its bearers in France.<sup>2</sup> It was retained as a designation of them chiefly by their opponents.<sup>3</sup> It lingered for a longer time in Italy; but a

<sup>1</sup> The *Socialisme des Jaunes*, of which M. Biètry is the founder, is not hostile to religion, but has not made much headway. See *Le Socialisme des Jaunes*, par Pierre Biètry.

<sup>2</sup> *Socialisme et Charité*, par le Comte d'Haussonville, de l'Académie Française, p. 381.

<sup>3</sup> 'Le mot de Socialisme,' writes the Abbé Gayraud, 'se prend d'ordinaire en mauvaise part, tant au point de vue social, politique ou économique qu'au point de vue religieux. Il évoque des doctrines, des aspirations, des tendances contraires au droit naturel et fondamental de la société humaine ainsi qu'au christianisme. C'est un bloc moins antisocial qu'anticatholique. . . . En conséquence un catholique fidèle doit éviter de se parer de ce terme malsonnant et ambigu.' *Un Catholique Peut-il être Socialiste*, p. 115.

sense of loyalty to the Church has caused it to be laid aside there also. It became too closely identified with the names of Fogazzaro and Murri, whose movements have been discountenanced by the Holy See.<sup>1</sup> In Austria, too, the 'Christian Socialists' are fast getting rid of an appellation which never accurately described them. A section of the Catholic party in that Empire are more frequently described as 'Christian Socialists' by the correspondent of the *Times* than by the writers in the *Vaterland* of Vienna. Nor is this any wonder: for their programme is one of social reform on Christian lines rather than of socialism in any strictly recognized sense.

There are no doubt people in all countries, Catholics amongst them, who understand socialism as any scheme of reform which has in view a more equal distribution of wealth and the readjustment of glaring inequalities, in whatever way it may be effected, whether by State action or the voluntary efforts of individuals, or the influence of the Church, or philanthropy, or co-operation. In this sense the poor law, as it exists in these countries, the building of labourers' cottages, and granting of plots at the public expense, the purchase of land and its transfer to the occupiers would be at least socialistic in tendency, if not pure socialism.<sup>2</sup>

But socialism in the strict sense—the socialism according to which the production of wealth is carried on solely by the State, as the collective owner of the land and instruments of production, and according to which the State monopolizes the right to guide, direct, and control all the energies and activities of its members—is socialism in the real sense. And this is the sense in which it has been formally banned and condemned by Pope Leo XIII.<sup>3</sup>

<sup>1</sup> See *Il Socialismo e la Democrazia Cristiana*, D. Battaini, pp. 275-312.

<sup>2</sup> See 'Description of Socialism' given by M. Emile Faguet in *Le Socialisme en 1907*, pp. 1-10.

<sup>3</sup> Socialism had already been condemned by Pope Pius IX, in his Encyclical *Qui Pluribus*, 1846, as 'abominable, absolutely opposed to natural right, subversive of all order and of the very foundations of society.' It was similarly branded in the Encyclical *Quanta Cura* in 1864, and in the *Syllabus*, where it figured side by side with Communism and Secret Societies.



Having dwelt upon the evils that beset the toiling masses of our time the late Pontiff said :—

To remedy these evils the Socialists, working on the poor man's envy of the rich, endeavour to destroy private property, and maintain that individual possessions should become the common property of all, to be administered by the State or municipal bodies. They hold that by thus transferring property from private persons to the community the present evil state of things will be set to rights, because each citizen will then have his equal share of whatever there is to enjoy. But their proposals are so clearly futile for all practical purposes, that if they were carried out, the working-man would be amongst the first to suffer. Moreover, they are emphatically unjust, because they would rob the lawful possessor, bring the State into a sphere that is not its own, and cause complete confusion in the community.<sup>1</sup>

And further on, he says :—

The Socialists, therefore, in endeavouring to transfer the possessions of individuals to the community, strike at the interests of every wage-earner ; for they deprive him of the liberty of disposing of his wages, and thus of all hope and possibility of increasing his stock and of bettering his condition in life.<sup>2</sup>

Here, then, there is no obscurity as to what Leo XIII understood by socialists and socialism. He takes the doctrine as it is taught by its most noteworthy exponents, and in the name of the Catholic Church he repudiates and condemns it.

If the teachings of the Sovereign Pontiff [wrote M. Anatole Leroy Beaulieu a short time afterwards<sup>3</sup>] are to have any weight in social matters, a Catholic is henceforth prohibited from calling himself a Socialist. This was proved last autumn at the Malines Congress. M. Dumonceau, a Brussels barrister, had advised the Catholics not to show themselves hostile to Socialism, and not to be frightened by the term. These words evoked the protests of the audience, and called forth vehement replies from Canon Winterer and from Mgr. D'Hulst. The debate was re-

<sup>1</sup> Encyc. *Rerum Novarum*.

<sup>2</sup> *De Conditione Opificum*.

<sup>3</sup> *Papacy, Socialism, and Democracy* pp. 72, 73.

sumed amidst applause by M. Helleputte, a professor in the Catholic University of Louvain. He said: 'A Christian Socialism would be one which would admit the principles which other Socialisms reject; the sense of the word would then be changed. But it is too late for that. Karl Marx, Bebel, Liebknecht, have determined it too well. One may regret that this name has fallen to them, just as I, for my part, regret that the name of Liberalism has become the property of liberals; but these would be useless regrets. The term democracy has not yet been confiscated; and as it conveys an idea which is in keeping with the Gospel let us appropriate it lest it should be taken from us. We shall know how to justify it.'

This matter of the name is of such importance that I cannot refrain from quoting some further words from M. Leroy Beaulieu which helped to induce Catholics and Christians in France to find some other title for themselves than that of socialists, whether Christian or Catholic. Referring to the passage in the Encyclical *On the Condition of Labour* which I have quoted above, he says:—

We have here, in these times of confusion, when ambitious sceptics daringly juggle with words and formulas, a moral lesson given by the Papacy to us all—the more forcible that by condemning the term Socialism, the Papacy knowingly deprives itself of a hold on the masses which it wishes to conquer. It is right that words should preserve the sense which usage has given them, not only to enable us to understand one another when we speak, but also because it is not right that the defenders and enemies of home and property should assume the same name, and should, even apparently, adopt the same colours or march under the same flag. It is not possible to disarm revolutionary passions and refute subversive doctrines by borrowing their vocabulary. On the contrary, if you take the name, you may often be compelled to submit to the thing.<sup>1</sup>

I have thought it useful to make these few preliminary remarks and to quote these authorities on the subject of the name; for my attention has been called to the fact that there are some persons in this country writing in newspapers under Catholic, or nominally Catholic, management, who not only adopt the title of socialists, but indulge in

<sup>1</sup> *Papacy, Socialism and Democracy*, p. 74.

language towards the Catholic clergy which is quite characteristic of the school the world over. Somehow or other I cannot convince myself that either their socialism or their anti-clericalism is very deep-seated; but if my voice had any weight with them I would use it to persuade them to adopt some designation of themselves more in keeping with their real convictions, and more in harmony with the principles and teachings of the Church to which they profess to belong.

For it has to be remembered that Pope Leo XIII had in view in his Encyclical *De Conditione Opificum* chiefly the economic doctrine of socialism which concerned the relations between capital and labour; but in other pronouncements of his he views it more fully and points out more clearly the disastrous consequences that would follow from its adoption. Indeed the very first Encyclical he wrote (December 28, 1878), dealt with *Socialism, Communism, and Nihilism*.<sup>1</sup> In this memorable utterance he reminds us how these sects, working in harmony, have waged an implacable war on all that the Catholic Church holds sacred. Wherever they have a voice they use it to banish God from the State, from the university, the college, the school. They use it to engender greed, envy, contention, to destroy the natural rights of man by wresting his lawful property from his hands, to sunder the sacred tie between husband and wife, and bring back the human race to the vile corruption of pagan morality. He does not hesitate to describe socialism nominally as an evil growth [*nefasta Socialismi propago*], as a pestilence and a plague [*et cum ad Socialismi pestem avertentem*], teaching poisonous and pestiferous doctrines [*venenatas, pestiferas*]. In his Encyclical,<sup>2</sup> *Excunte Jam Anno* (December 30, 1888), he dwells on the confederate understanding that exists between socialists and Freemasons [*tetras quidem funestasque pestes*] driving out religion wherever they can and calling on men and women to seek no other good than the enjoyment of

<sup>1</sup> *De Secta Socialistarum, Communistarum, Nihilistarum.*

<sup>2</sup> *Sanctissimi Domini Nostri Leonis Papae XIII Allocutiones, Epistolae, Constitutiones, Aliaque Acta Praecipua*, Vol. iii. p. 193.



this world's goods and the indulgence of their voluptuous passions.<sup>1</sup> In a letter to the Archbishop of Malines (July 10, 1895) he advises Belgian Catholics to bend all their energies to the extirpation of socialism [*adversus Socialismi pravitatem*]. On another occasion in an allocution to French working-men, he warns them to avoid the society of evil companions—particularly those who, under the misleading name of socialists, aim at nothing less than the overturning of all social order to the great detriment of the labouring classes. 'Evitez le commerce des hommes pervers, de ceux surtout qui sous le nom fallacieux de socialistes ne visent à rien moins qu'à bouleverser l'ordre social,' etc.

Finally, towards the close of his great Pontificate, on January 18, 1901, he issued his last Encyclical on the social question, *Graves de Communi*, in which he discusses the question of a suitable name and title to be given to the social action of Italian Catholics which had done so much for the poor during his reign by the establishment of popular banks, co-operative societies, insurance organizations, workmen's clubs and mutual aid societies. Here he distinctly approves the abandonment of the title 'Christian Socialists,' and explains at length and with great care the sense in which the term 'Christian Democracy'<sup>2</sup> might be adopted. To the term 'Social Christians' ('*Sociales Christiani*')—in French '*Chrêtiens Sociaux*,' and in Italian '*Cristiani Sociali*'—he had not much objection, but 'Christian Socialism,' or 'Social Democrats' he would not have on any terms.

Pope Pius X has repeatedly renewed and reasserted the instructions of his predecessor, particularly on December 18,

<sup>1</sup> 'Summum hominis erit positum bonum in fruendis vitæ commodis potiundisque voluptatibus. Cumque nemo unus sit quin ad beate vivendum ipsius naturæ admonitu impulsuque feratur jure quisque detraxerit quod cuique possit ut aliorum spoliis facultatem quaerat beate vivendi. Nec potestas ulla fraenos est habitura tantos ut satis cohibere incitatas cupiditates queat; consequens enim est ut vis frangatur legum et omnis debilitetur auctoritas, si summa atque æterna ratio jubentis vetantis Dei repudietur.' *Encycl. Exeunte Jam Anno 1888.*

<sup>2</sup> 'Quæ popularis beneficentiæ ratio nulla quidem propria appellatione initio distingui consuevit: *socialismi christiani* nomen a nonnullis inventum et derivata ab eo haud immerito absoleverunt.' *Encycl. Graves de Communi*, 1901.

1903, in a *Motu Proprio*, and again on March 19, 1904, in a letter to a well-known public man.

Now when the Head of the Catholic Church feels called upon, in discharge of his high functions, to speak of socialism in such terms as these, of socialism as it is taught by its chief expounders, of socialism as a school, as a doctrinal system and a sect of professional promoters, of socialism, in a word, without qualification or epithet; and when, moreover, he discountenances and rejects the very name in any modified form, it seems to me that Catholics who are jealous of their repute and understand what is meant by loyalty ought to refrain from adopting the title of Socialists, even though they do not profess the principles of the school in their more extreme and obnoxious form.<sup>1</sup>

Does this mean that Catholics should stand by with arms folded whilst they see the most helpless members of their race ground beneath the iron law of wages, worn out before their time, cast aside and left to perish of disease or hunger in the slums and purlieus of great cities, and in the desolate hovels of the country? Is there to be no restraint on the rampant and cruel machine of capitalism? Must a man die or see his children die, or else delve in the infernal mine so long as his employer, a man (or a syndicate), without a heart and without a conscience, wants him? Is there nothing wrong in the organization of a society which allows

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<sup>1</sup> Father John J. Ming, S.J., in his interesting work on *The Religion of Modern Socialism* (New York: Benziger), says: 'Since socialism in its modern acceptation is no longer a general term, but means a definite system of social revolution absolutely irreconcilable with Christianity, it seems no longer proper to term social reforms based on Christian principles, "Catholic or Christian Socialism,"' p. 339, and Father Cathrein, S.J., in his work on *Socialism: Its Theoretical Basis and Practical Application*, says: 'We perfectly agree with Cardinal Manning in maintaining that to speak of Christian or Catholic Socialism is a proof of vagueness of thought or at least of expression,' p. 20. Cardinal Manning's name is sometimes invoked as a patron of socialism. Nothing could be more absurd. Although a social reformer, he was, as his biographer tells us: 'guiltless, according to his own recorded testimony, of any leanings towards socialism.' See Purcell's *Life of Cardinal Manning*, Vol. ii., p. 671.

'Il est de bonne tactique et de pieuse contume chez certains adversaires d'affecter de nous confondre avec les Socialistes. Il est pourtant facile à tout esprit non prévenu de constater qu'un abîme sépare les deux écoles!' L'abbé Naudet in *La Démocratie et Les Démocrates Chrétiens*, pp. 186, 187.

multitudes of its members to live in laziness and vice—men who race and gamble and drink, and women who squander what would feed whole families on trinkets and furs and poodle dogs and ostrich feathers—whilst far larger multitudes delve and slave and perish of want in its many forms? Has the Church no remedy for those terrible inequalities, those scandalous contrasts? Must myriads of human beings herd by dozens day or night in the same room, breathing a tainted, sickening atmosphere, whilst men of flesh and blood, no better than they, batten on the products of their toil in palaces and mansions, and recline on couches of down and silk? Are we to see the most precious members of our households, children of tender age, snatched away in their innocence to be devoured by the grinding jaws of capital? Do the poor little creatures with shivering feet and famished faces whom we meet at every step in our streets and byways make no appeal to our sense of justice or humanity? Has the Church no power or will to protect them?

Oh, yes! The Church is keenly alive to her duty in these matters. The minister of Christ who would not feel his heart throb in sympathy with the victims of such misery would be unworthy of his garb and unfit to bear the standard of Him whose words, *Misereor super turbam*, still ring through the world. But His remedy is not the remedy of the socialist. It is easy enough to wax eloquent on the inequalities and injustices of social conditions; but, as practised by the socialists, it is an unwholesome sort of eloquence. If it does some good it often does still more harm. It stirs up passions that are always latent in the human breast. It stimulates envy, jealousy, and greed. It disturbs the nerve-centres, troubles the imagination, darkens the heart. It is sometimes justified by the extreme hardships that call it forth, and is often excused by the generosity of the impulse that gives it expression, but as an occupation and way of life it is pernicious and contemptible. The Gospel, I know, and the early Fathers, are often invoked to justify it. The Gospel, indeed, makes



little of riches, and advises those who wish to be perfect to put them away ; but nowhere does it allow those who are not their owners to take them by violence. Still less does it approve of those who blow the coals of jealousy. On the contrary, it is the disturbers, fomenters of discord and of envy, the plunderers and thieves, who are banned and condemned. As for those extracts from the writings of the Fathers which are quoted in favour of socialism, it is abundantly clear, as I hope to show later on, that they were never intended for such a purpose.<sup>1</sup>

There are, we all know, cases in which the abuse of property, the neglect of duties that are attached to it, the imperfect handling of the materials of production, the inefficient management of waterways and railways, the abuse of power by greedy and heartless employers, would justify the intervention of public authority ; but, from that to the wholesale appropriation of established rights<sup>2</sup> and possessions there is a long cry.

If [writes Leo XIII] natural family ties were to become relaxed among proletarians ; if the public safety were endangered by strikes ; if religion were violated through employers not allowing their workmen sufficient time to perform their religious duties ; if, owing to the association of sexes and other incitements to vice, factories became dangerous to morality ; if the employer should crush his workmen with iniquitous burdens or degrade the human personality by imposing upon them degrading or unworthy conditions ; if he should undermine their health by enforcing excessive work, unsuited to their age or sex, in such cases it would be absolutely necessary to make use of the power and authority of the law.<sup>3</sup>

It is the duty of the State, he tells us, to protect the rights of its members, not to appropriate them. Its intervention should be as rare and as little meddlesome as possible ; and individuals who are not the State should remember that charity and justice are not the monopoly of any

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<sup>1</sup> See *Contemporary Socialism*, by John Rac, pp. 218-245 and *Analisi del Socialismo Contemporaneo*, by G. Ballerini, pp. 135-178.

<sup>2</sup> I speak of 'established rights,' for those which are not yet established may be quite lawfully acquired by the State, or by municipalites or other corporate bodies as well as by individuals.

<sup>3</sup> *De Conditione Opificum*.

class. They are due to the rich man and the capitalist as well as to the labourer and the poor man. Even in those great industrial concerns where intervention is most urgently called for, caution and judgment should guide our steps. For it is a well-known fact that where these great concerns are flourishing and successful and make large profits, the workmen are well paid as a rule, and are fairly happy and contented. Where, on the other hand, industries are struggling, where employers are needy and pinched, where the profits are small or the concern is losing, the labourers have to suffer, and there is often anxiety and distress. What, in this case, is the result of an agitation against capital and capitalists? The employer is intimidated and becomes disheartened. He foresees interminable strikes, squabbles and contentions. He gives up and clears out, and the workman who thought his pay was insufficient is left without any wages at all.

It should also be borne in mind that those who are not deeply versed in the laws of economy and in the history of its development, are but ill-qualified to make practical recommendations for the management of great industrial concerns. The disastrous results of adopting the nostrums of amateur reformers have already come home to the labouring classes in France and Germany. Some years ago these ardent reformers would have it that nothing would be right until the workers were associated with the proprietors in the ownership of the material and plant they worked. Well, in certain cases they *were* associated, and I doubt if the reformers are satisfied with the result. I venture to say that the experiment of the dual ownership of land in Ireland could bear favourable comparison with it. Economic laws do not wait on human prejudices or human sympathies; nor do they reveal themselves as if by magic to the most enlightened and thoughtful of mankind. Is it different in the case of those who imagine they have a mission to reform everyone and everything?

But if wholesale denunciation of capital and capitalists is of no avail in this connexion, still less is the denunciation of races or individual capitalists. Some people think that

when they have dragged in the name of Jew they have clinched their argument and sent it home to the bosom of prejudice. I confess that I attach very little value to an argument of this kind. It cuts both ways, and perhaps as often cuts the hand that uses it as the back for which it is intended. But apart from its consequences I think it is altogether beside the point in this connexion. At all events the calmer and more dispassionate amongst Catholic writers are coming to recognize its futility; and although many amongst us might not accept every statement and implication in the following passage, taken from the work of a distinguished French economist and man of letters, still it clearly marks a change of tone which is, I think, on the whole, a healthy one:—

Every measure [he says<sup>1</sup>] every word that tends to destroy the great economic and moral law of the harmony of interests is a measure and a word of evil. The same may be said of the campaign that has been pursued against a race small in numbers but great in its memories, which has shown singular abilities in the conquest of capital, and through that conquest has got hold of a share altogether out of proportion to its numerical importance. There may be pretexts to justify this outbreak. In the inevitable struggles carried on within the temple of Mammon, the old Semite race may have shown too grasping and too selfish a spirit. It may not have been able to resist the temptation to reprisals and to take sides too openly in the odious war made by a sectarian minority on the creed of a nation; that is quite possible; but one should not forget at the same time that it has made many Christian institutions sharers in the fruits of its profitable enterprises. In any case the grievances which I have mentioned could not justify the violence, the brutality, and, in many respects, the injustice of the attacks by which it is assailed. This war becomes more guilty on account of the religious colour with which it is sought to invest it. Besides the fact that all monotheistic peoples, instead of seeing an enemy in the Jew, should hail him as their ancestor, it is assuredly a singular way of proving one's Christianity, to pursue with unrelenting hatred those whom Christ, in His dying hour, pardoned from the very Cross.

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<sup>1</sup> *Socialisme et Charité*, par le Comte d'Haussonville, de l'Académie Française, p. 358.



I have read in recent years a great number of pamphlets, tracts, volumes, in English, French, German, Italian, written with the object of popularising the principles of socialism. I am not now speaking specifically of the works of Karl Marx and Lassalle, nor of Proudhon, St. Simon, Fourier, although I have read their works too, but of the smaller fry who are the lieutenants and the sergeants of these great captains.<sup>1</sup> I confess that I have not been favourably impressed with this class of literature. It is full of sophisms, clap-trap, and irreligion. It is, taking it all in all, and with some few exceptions, vulgar and self-sufficient in the last degree. It asks the simple and unsuspecting to swallow principles and accept statements of fact that are equally preposterous. It requires but a very little mixture of Christianity and education to reduce these compounds to their elements, and expose the fraud that lies hidden in their make up.<sup>2</sup>

One of the most popular but least convincing of the works to which I refer is entitled *Looking Backward*.<sup>3</sup> It is quoted with great airs of importance by shallow and conceited persons who are thrown off their balance by its audacity and rhetoric. It is written in the shape of a story; some perhaps would call it a novel, and it is certainly romantic, if by romance we mean something that is very unreal. The fact that the scene of the narrative is laid in the city of Boston reminds us just a little of Dr. Sequah and Mrs. Eddie. There is, of course, an argument running through the story; but on that point Mr. Mallock has hardly left anything more to be said. In the contribution made to the public weal by an inventor or a great man, nine hundred

<sup>1</sup> *The Religion of Socialism*, E. Belfort Bax; *The Quintessence of Socialism*, Dr. A. Schüttle; *The Student's Marx*, Edward Aveling; *The Ethics of Socialism*, E. Belfort Bax; *Bismarck and State Socialism*, W. H. Dawson; *Looking Backward*, Edward Bellamy; *Collectivism*, by E. Vandervelde; *Précis du Socialisme*, Benoît Malon; *Freiheit und Gleichheit*, Paul Pflüger; *What to Read on Socialism*, Charles E. Kerr; *Voraussetzung des Socialismus*, Ed. Bernstein; *Entwicklung des Socialismus*, F. Engels; *Socialism and Society*, by J. Ramsay MacDonald.

<sup>2</sup> I do not, of course, include in the same category the works of Mr. Brougham Villiers, Mr. Kirkup, or Mr. Sydney Webb.

<sup>3</sup> *A Critical Examination of Socialism*, pp. 105-107.

and ninety-nine parts out of a thousand of their produce is the result of the accumulated knowledge of the past, of their social inheritance and environment. These same hundred and ninety-nine parts should therefore go to the public and not to the inventor or the great man; for they are public property. If the socialist deduction from this great discovery, which contains some genuine metal in the midst of a good weight of ore, were to be applied in practice, I fear we should have very few inventors or great men or people who would think it worth their while to become acquainted with the accumulations of the past. Progress would come to a stand-still. The fallacy of the reasoning is obvious.

The accumulations of the past are the property of mankind in the bulk, and have, no doubt, their share in the product which in its turn also becomes the property of mankind in due course. The property of the inventor or the great man is limited to a term of years which is infinitesimal in relation to the ages that roll on. The return made to him is infinitesimal likewise in relation to the benefit he confers and the number who profit by it. It is the invention or the service that is purchased in the open market, not the accumulations which in substance are available already. One would imagine that any socialist who set his mind to it would make more out of these accumulations than an Edison or a Kelvin, a Röntgen or a Bequerel, a Pasteur or a Marconi. Hitherto the world has thought it necessary to reward its discoverers and great men for exceptional services, and for the additions they make to the accumulated treasures. And I fear it must continue to do so if it does not want to come to a stand-still.

The value to the modern world of the work of an inventor or of a great man does not depend on the accumulations of the past, however it may result from them, but on the needs of the present and the services rendered, which they, and they alone, are capable of rendering. And yet the extent to which the argument of Mr. Bellamy has been swallowed is apparently phenomenal, as is indeed the extent of the sway of Mrs. Eddie amongst people who pride them-

selves on their freedom from superstition. I know quite well that the argument is defended ; but it is defended by another fallacy worse than the first. The socialist method of argument has been very appropriately likened to a mouse running under a table-cloth, or a protuberance in an air-bag which when pushed down in one place is sure to reappear in another. Individualism is to disappear ; multitudinism is to take its place. Mankind is at last to fall in love with itself and the rapture of serving the race will surpass by infinitude the grovelling pleasure of serving one's own family or one's self. Inventions will then have their proper value and great men too. That will be a transformation indeed ! It is said that the neck of the giraffe has been elongated by his perpetual straining to reach the more succulent leaves high up in the trees. Why should not the neck of humanity be likewise elongated by a perpetual straining to reach the succulent things that abound in this world, but are at present substantially beyond its reach. 'Socialism,' says Mr. W. H. Mallock, 'is of all creeds that which is easiest to present to the ignorant, and in these days, like "patriotism" in the days of Dr. Johnson, is often "the last refuge of a scoundrel," or of a desperate and ambitious fool.'<sup>1</sup>

It is so easy to convert to it a man who digs nine or ten hours a day when you tell him that under your plan he will dig only two hours ; that the neighbouring lord or magistrate shall dig alongside him : that they will all beguile their toil with song whilst a lady accompanies their voices on a grand piano under a neighbouring tree : that the vases and candelabra of the rich are all to be melted down in order to put a thin coating of silver on his metal spoon ; that his children shall be fed, clothed, and educated without any particular expense to himself ; that he can sit in his turn at a district table and partake, with his neighbours, of the best things the country and the season can provide ; that for a fifth part of the exertion he makes at the present time he will get ten times the reward ; that under

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<sup>1</sup> *A Critical Examination of Socialism*, p. 168.



the new regime there will be neither masters nor servants, officers nor soldiers, but that all men conscious of their dignity and overflowing with sentiments of benevolence and fraternity, will march through Arcadia with flowers in their buttonholes and favours in their hats.

I am quite prepared for the indignant repudiation of such a programme by persons who insist on calling themselves Socialists. It is a travesty, they will say, of what we want and what we aim at: but I can guarantee that there is not an item mentioned that has not been substantially put forward by one or other of the great prophets and law-givers of the school. Absurdities are bad enough: but there is much worse beyond them. Indeed they are only the bait which is thrown to humanity to lure it to its destruction.

What is the good, they will insist, of conjuring up a danger that does not exist in Ireland, seeing that none of us favour either the absurdities or the aim? My answer is, that if you insist on adopting a bad name the pressure of circumstances will inevitably compel you to live up to it. A general sympathy with socialism, its principles and leaders, has driven better and stronger men than you to extremes of which a Catholic might well be ashamed. A strong personal sympathy with Karl Marx, on account of his denunciation of Irish landlordism, in the elaboration of his thesis in his great work on *Capital*, generated other sympathies, which fell but little short of some of his worst theories on religion and education.

But what, once more, is the remedy for the evils that surround us and provoke our indignation and resentment? Does it consist merely in sympathy, in caution, reflection, study, consideration? By no means. These are merely conditions precedent. Other things are required as well—amongst them courage and decision. One must not be afraid to put the axe to the root of the tree which is an incumbrance or a danger, or to call upon the surgeon to put his knife into the diseased tissue in order to preserve the life of the whole organism. If natural rights are to be defended they are also to be determined and asserted.

Then, as the whole battle rages around the determination and delimitation of these rights we have first to see our way as to how they stand. We have to follow the light of nature, reason and revelation in coming to a conclusion; but once we have reached conviction and feel satisfied that we are entitled to act our course is clear. In examining the terrible condition of the slums in our towns and cities where hunger, filth, ignorance, demoralisation and depravity mingle and commingle, we must ask ourselves whether the fault is in the owners of the tenements, in the harshness of capitalists, in the depression of trade, in the system of government or administration, in the character or education of the people themselves; in each or in all of these together; and we must seek the remedy according to the light that comes to us. We must not rush blindly to our decision, but see our way before us, examining the question in all its bearings, seeking light and guidance from the best authorities. It is easy enough to discover whether the treatment of the labouring classes and the poor is harsh, unjust, and oppressive in the broad sense, without being able to define to a nicety the extent of its wickedness.

Inalienable rights must be respected on whichever side they lie; but the interests of the community must not be allowed to suffer on account of the vices or defects of any section of it. If rich men refuse to fulfil the obligations of natural justice, and, moreover, put the laws of Christian charity and morality aside, let them pay the penalty. As they have sown, so let them reap. It will not do to be always dinning the claims of property, of authority, and of social order into the ears of people who are starving or live in poverty and misery. These were the fetishes that, roughly speaking, were held up for worship to the people of France for upwards of two hundred years, first in the interests of a Voltairean aristocracy and afterwards of a godless *bourgeoisie*. No wonder the people got sick of it. Generally speaking there is no great reason to quarrel with those who hold that no theory of property, however logical and

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<sup>1</sup> See *The Socialist Movement in England*, by Brougham Villiers, preface, p. vii.

well established, is founded on natural justice and right, unless under it the people get properly fed, clothed, housed and educated. That is a condition precedent to any other profit or result from it. And it is a condition which all upright men are entitled to endeavour to bring about ; so that if the priest may be regarded as in his proper element when he labours to secure the physical and moral well-being of the working-classes and the poor, to improve their food, dress, sanitation, hygiene, housing, security and ease, instruction, facilities for advancement, he will be none the less so in endeavouring to secure for them to their utmost extent the rights which nature and law, both human and Christian, confer upon them.

Let it not be thought for a moment that the indefinite extension and accumulation of wealth in the hands of a single individual, or of a small number of individuals, is a natural and God-given right. Nor should we fear to adopt reforms which are founded in natural justice because they are flaunted in the socialist programme. The late C. S. Devas, in a very interesting article in the *Dublin Review*,<sup>1</sup> entitled 'Is Socialism Right after All?' endeavoured to show that in many respects the socialists were the truest disciples of Pope Leo XIII, and that private property was amply secured in the scientific form of their programme. He said :—

If the Catholic workman is told that socialism was condemned by Leo XIII, he may be taught to reply that precisely private property is what has been secured by scientific socialism, and that it was not scientific socialism which Leo XIII condemned but only the abuses of violence and communism ; indeed that by their efforts to universalize private property, to endow the present mill-hand and farm-hand and slum-dweller with their own house and home, goods and garden, to put an end to usury, monopoly, and the ruthless warfare of rival traders, the socialists are the true pupils of Leo XIII, and that his true opponents are the receivers—many, perhaps, unwittingly, but still the receivers—through the manifold channels of rent and interest, of profits flowing from sweated labour, from slum-



dwellings, from extortionate prices, from foul wares, from fouler drink-shops and houses of debauchery.

This sympathy with the toilers and the slum-dwellers speaks well for the humanity and sense of economic justice of Mr. Devas ; but it does not justify either him or the socialists in describing themselves as the truest disciples of Leo XIII. No man better than the late Pope knew the difference between property as it is recognized by socialism, scientific or otherwise, and the property that has always been defended by the Church. It was, on the contrary, the very principle of scientific socialism that Leo XIII condemned, knowing perfectly well that certain deductions from that principle, certain stages in its evolution, coincided in some respects with his own deductions from the teachings of the Gospel. But when we hear the founder of scientific socialism, the prophet and law-giver, Karl Marx himself,<sup>1</sup> speak of religion as 'an unreasonable conception of the world' [*ein verkehrtes Weltbewusstsein*] ; 'the opium of the people,' a nightmare from which socialism would sooner or later deliver mankind ; when we hear Herr Bebel, one of its great international leaders, proclaim his atheism in the open parliament of his country, and express his determination to promote it and spread it among the masses, repeating the scoffing words of Heine<sup>2</sup> that henceforward 'heaven would be left to the angels and the sparrows ;' when we hear Herr Liebknecht, another German corypheus of the creed, proclaim that it is the duty of socialists 'to root out all faith in God with all our zeal,'<sup>3</sup> and that no one is worthy to belong to the fraternity who does not consecrate himself to the spread of atheism ; when we hear M. Viviani,<sup>4</sup> one

<sup>1</sup> See *Deutsch-Französische Jahrbücher* and the *Volksblatt* also *Kapital*, Vol. i. pp. 19, 39, quoted by Father Cathrein, S.J., in *Socialism : Its Theoretical Basis and Practical Application*, p. 215.

<sup>2</sup> See *Unsere Ziele*, p. 38, and *Die Frau*, p. 319 ; also the *Volksblatt* of Berlin, 1890, n. 281.

<sup>3</sup> See *Social Unrest*, by J. G. Brooks, p. 302. New York, 1903.

<sup>4</sup> 'Tous ensemble, par nos pères, par nos aînés, par nous mêmes, hier comme aujourd'hui, aujourd'hui comme demain, nous nous sommes attachés à une œuvre d'anti-cléricisme à une œuvre d'irreligion. Nous avons arraché les consciences humaines à la croyance. Ensemble et d'un geste magnifique nous avons éteint dans le ciel des lumières qu'on ne rallumera plus.' Speech in the Chamber of Deputies in 1906, ordered by the Chamber to be placarded all over France at the public expense.

of the most prominent of the French socialists, boast that they 'have carried forward and onward the cause of anti-clericalism and irreligion, and extinguished the lights of heaven which shall be lit no more ;' when we hear the professional expounders of the doctrine in England, Leatham, Blatchford, and Belfort Bax proclaim that the idea of a Creator is unthinkable,<sup>1</sup> that the glorified immortality to which Christians look is the merest chimera,<sup>2</sup> that the God of the Bible, is 'a cruel and savage monster ;'<sup>3</sup> when we see the socialist organization in Italy put war on religion in the fore-front of its programme ; when we hear squads of Italian workmen shouting in the streets

Non vogliamo ni frati ni preti.

Non vogliamo di camerista,

Vogliamo la bandiera rossa

Di Socialista ;<sup>4</sup>

when we hear the British poet Swinburne, patron of the socialist rabble, chanting in our ears

Yet thy kingdom shall pass, Galilean !

Thy dead shall go down to the dead,

and their Tyrtæus, William Morris, telling us

This is the host that bears the word

*No master high or low ;*<sup>5</sup>

when the foremost expounders of the doctrine, Millerand and Deville, Guesde and Lafargue in France, Vandervelde and Réclus in Belgium, Unterman in the United States, Ferri and Turati in Italy, Kautsky in Germany, Niuwenhuis in Holland, Hyndman<sup>6</sup> in England, are heard joining in

<sup>1</sup> *Socialism*, by David Goldstein, p. 118.

<sup>2</sup> *Ethics of Socialism*. Chapter on 'The Individual and a Future Life,' p. 180.

<sup>3</sup> *God and My Neighbour*, p. 49.

<sup>4</sup> 'We want neither priests nor friars nor parliamentarians either. What we want is the red flag of the socialist.'

<sup>5</sup> *Chants for Socialists*, p. 10.

<sup>6</sup> 'And what is true,' says Leatham, 'of the more notable men of the party [their opposition to Christianity] is equally true of the rank and file the world over.' See *The Religion of Modern Socialism*, by Rev. John J. Ming, S.J., p. 288.

the chorus<sup>1</sup>; when we find in the official or quasi-official organs of the fraternity, the *Vorwärts* of Berlin, the *Sozialdemokrat* of Zurich, the *Avanti* of Rome, the *Petite République* of Paris, the *International Socialist Review* and the *People's Press* of Chicago, the *Recht voor Allen* of Amsterdam, the *Clarion* of London, literally seething and reeking with blasphemies against God, against Christ, against Christianity and against religion,<sup>2</sup> I think it is not right nor becoming to say that the socialists are the truest disciples of Leo XIII, simply because they seek to repress certain abuses in the social world which are an abomination to all right-thinking men, but which would be aggravated rather than cured by the application of their remedy.

There is, on the other hand, nothing to debar a Catholic from co-operating with socialists, or any other party or creed, in political life to better the condition of the workers and the poor, as long as he does not promote thereby the general principles of the sect. The Centre Party have done so in Germany, and the priest even more than the layman can and should defend the weak and assert their rights wherever he can do so.

In pursuit of this task, however, as Leo XIII reminds us, it should be his aim to harmonize interests rather than to foment strife and discord. In the pursuit even of legitimate objects only means that are sanctioned by Christian law can be adopted. Above all, according to the recommendations of the late Pontiff, he will fulfil his beneficent mission in pouring forth abundantly the oil of Christian charity.

Without this, he tells us, it is in vain that legislators and rulers can hope to avert strife and turmoil, out-

<sup>1</sup> See *Le Socialisme Contemporain*, par L'Abbé Winterer. Paris, Lecoivre, 1901. pp. 129, 401.

<sup>2</sup> No doubt the International Socialist Congress of Erfurt in 1901, declared religion to be 'a private affair'; but they did so under stress of circumstances having found by experience that religion was the most formidable barrier in their way. To what extent it is a private affair is easily discovered in their social and political action wherever they have the power to show what they really think.



breaks of rebellion and anarchy.<sup>1</sup> When all is said and done to adjust and determine natural rights; when men have secured all that nature and justice will give them, it is not to be expected that the selfish instincts which urge them to rebel or to be discontented with their lot, will be set at rest for ever. That can only be achieved *ex magna effusione caritatis*. And charity here is to be understood in its fullest and widest sense, the charity that teaches love of all men, universal brotherhood, that makes no distinction in its all-embracing flame between Jew and Gentile, Parthian or Scythian; reminding us that the rich are the merest rags of humanity like the rest of us, and that trouble, disease and death are often not far from their doors; but reminding them, too, that the superfluity of their wealth is the patrimony of the poor.

I know quite well how the socialist sneers at charity, which, in so far as it is a benefit to society, is the gift of Christianity. I will deal, if circumstances allow me, in a special article with this important subject. But my aim in opening up the general question of socialism here is not so much to investigate in minute detail the conflicting claims of capital and labour, as to examine the bearing of the whole movement on religion and religious interests. This, I conceive, can best be done by tracing, at least in outline, its origin and development through the various phases of its history, and through the works of its principal exponents. This task will be, I fear, rather tedious and will import into its fulfilment a good deal of rather dismal history. All I can promise is to do the best I can to relieve the monotony of the narrative.

But before I come to deal with the development of modern socialism I feel bound to examine the pretensions of the school that their creed is in harmony with the teaching of Christ, the practice of the early Christians, the recom-

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<sup>1</sup> 'Optata quippe salus expectanda praecipue est ex magna effusione caritatis; christianae caritatis intelligimus quae totius Evangelii compendiarium lex est, quaeque semet ipsam pro aliorum commodis semper devovere parata, contra saeculi insolentiam atque immoderatum amorem sui certissima est homini antidotus.' *De Conditione Opificum Acta Leonis XIII*, Vol. iv. p. 209.

mendations of St. Paul, the teaching of the great Fathers of the Church, and the practice even of modern religious Orders. There is hardly any phase of the question on which so much nonsensical rubbish is spoken and written as on this one.<sup>1</sup> The more godless and irreligious the ranters on socialist platforms are the more they seem to harp upon it. It will take an article all to itself to show how much justification there is for their claim and what good grounds they have for setting themselves up as interpreters of Christianity.

There are, however, antecedent even to this, a few points which in all examinations of socialism require to be kept clearly in mind.

The first is that the notion of property precedes that of law; that the right to property is a right that comes from nature as its origin and not from law; that society, persons, and property existed before law; and that the natural and primordial function of law was to protect property, to recognize, safeguard, and defend it, not to create it. The idea that property comes from law is of Roman origin; for the Romans who robbed and plundered and enslaved, could not well found their pretensions and claims on any other principle.<sup>2</sup> Rousseau, in his *Contrat Social*, reverted to the Roman principle which in medieval times had fallen from its pedestal. According to him the 'social compact,' which was a convention, served as the basis of all rights, so that property, which was a posterior right, was also merely a convention. Later on Robespierre made liberty the first and most sacred of all rights. But he held that liberty was limited by the rights of others. 'Why, then,' he asked, 'not apply the same principle to property, which is a mere social institution, as if the eternal laws of nature were less inviolable than the conventions of men?' Mirabeau developed the same idea at the 'Assemblée Constituante.' It had already been adopted by Hobbes, Bentham, and Montesquieu. The same notion has passed into all socialist schools

<sup>1</sup> See *Socialism, New and Old*, by William Graham, M.A., pp. 25-27.

<sup>2</sup> They defined property as the *jus utendi et abutendi*, a definition which has relation only to effects not to the cause.

of the present day, and goes to the very root of the conflict of socialism with the teaching of the Church which is that the right of property comes from nature *not* from law, and that the function of law is in the main to recognize, protect, and defend property, not to create it.<sup>1</sup>

God implanted in the nature of man certain needs and certain faculties to enable him to provide for these needs. He endowed him with the instinct to establish a family and provide for the wants of that family. He endowed him with the instinct and the desire to possess for himself the fruits of his exertions, the products of his faculties, the effects of his intelligence and of his skill, as well as of his labour. This instinct exists and is recognized even among savages who have no laws or at least no written laws. It is nature itself, and comes direct from God. It is no mockery and delusion. It has not been implanted in vain by a wise Providence. This is the teaching of Catholic theologians,<sup>2</sup> of the Popes, and particularly of Pope Leo XIII. Of course in our present complicated social condition the law is supposed to interpret natural rights; and unless there is some special divine command standing in the way men may avail themselves even of the privileges which the law allows. What I have said relates more to the makers of laws than to those who benefit by them. In all the forces of nature there is a conservative as well as a progressive element. The right to property is here the progressive element, without which society would go to ruin. There are forces enough hurrying it on to change. This one more than any other restrains it, controls it, and maintains it in equilibrium. I do not say that the other forces are not as natural and as healthy as this one: but

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<sup>1</sup> This question has been ably and lucidly dealt with by F. Bastiat in his work *Propriété et Loi*, pp. 275 and foll., and by M. Charles Perin, Professor of Political Economy in the University of Louvain, in *Les Lois de la Société Chrétienne*, chap. vii., p. 202 and foll., but nowhere more succinctly and lucidly than in the *De Conditione Opificum* of Leo XIII.

<sup>2</sup> There are, no doubt, Catholic theologians who derive the right of property from the *jus gentium*, but they take care to explain that in their sense the *jus gentium* differs from *jus naturale*, *ratione objecti*, not *ratione originis*. See Liberatore, *Principi d'Economia Politica*, Part ii., chap. ii., art. i.



without this they would be neither natural nor healthy ; they would be destructive.

If property were altogether at the disposal of the law or the State there would be as many possible forms of combination, division, and distribution of it as there are utopias and dreams in the heads of the reformers of society, or of schemes, whether selfish or otherwise, in the heads of professional agitators and politicians. There would be no stability, no security, no peace. A sword of Damocles would hang perpetually over the head of industry, energy and progress. No man would be sure of the results of his activity whether physical or mental. A scramble for office and power would demoralize and corrupt the commonwealth to a degree for which the most democratic states of the present could supply no parallel. The worst and most dangerous form of tyranny, a bureaucratic despotism, would crush beneath its feet the most sacred of individual rights. When all the wealth of the community passed through the fingers of a horde of officials the amount of it that would stick would inevitably leave things far worse than they are now, besides being the purchase-money taken from our own pockets for whatever spiritual and civil liberties we enjoy.

The other point which I wish to emphasize before concluding the present paper is, that wealth which is abused is an evil and that unlimited accumulations of wealth in the hands of one man or of a few may become oppressive and unjust to the community at large. It would, then, be the duty of both Church and State to determine how far and how much such an accumulation violates the rights of others, and to what extent it should be restricted or circumscribed. The wisdom of the world so far has not been in a hurry to intervene even in extreme cases, knowing that it is false economy to put artificial limits to human endeavour or to impede the springs of man's activity, intelligence, and skill by the restraints of law. I cannot help recalling here a passage which I published some years ago from a work of M. Thiers,<sup>1</sup> in which this view is

<sup>1</sup> *La Propriété*, p. 66.

developed to its utmost limit. Speaking of wealth, he says :—

If it offends some, it excites others, encourages, animates, sustains them ; and society finds in it so many advantages for the generality of its members that it ignores the grumbling and discontent of the few. After all, manual labour is not the only kind of labour. You must also have men to apply the compass to paper, to study the movements of the stars, to teach us how to cross the seas. You must have men to investigate the annals and the efforts of other nations, to discover the cause of the prosperity and decay of empires, and to teach us how to rule. It is not the man who, from day to day, remains bent over his machine, or over the soil, who will have leisure or capacity for such pursuits. You may indeed find a peasant who will one day turn out to be the great Sforza, or a compositor in a printing-house to become Benjamin Franklin. But these exceptions are rare. It is rather the sons of the toiler, raised above their condition by a laborious father, who will mount the steps of the social ladder and reach the sublime heights of thought.

The father was a peasant, a workman, a sailor. The son will be a farmer, a manufacturer, the captain of a ship. The grandson will be a banker, a surgeon, a barrister, perhaps one day head of the State. . . . Thus the human vegetation operates, and little by little is formed the wealthy class of society, which is called idle but is not so ; for the work of the mind is value for that of the hands, and must ever succeed it if society is not to return to barbarism. I recognize that amongst these rich people there will be some, unworthy sons of wise fathers, who will spend their days at the gaming-table and their nights at pleasure, who will become stupid with drink, dissipating in idleness and debauchery their youth, their health, and their fortune. That is all true. But they will soon enough be punished. Their career blighted before its time, their substance wasted, they will wander sad, disfigured, and poor, before those palaces which their fathers had built and which now must pass into the possession of wiser and better men. In a generation you see labour rewarded in the father and idleness punished in the son. O envy, implacable envy, art thou not satisfied ?

But are all the children of the rich of this description ? It is true that they do not dig, nor spin, nor wield the hammer in the forge. But do they not read, study, teach, discover, govern ? If it is not the rich man who always makes the discoveries that contribute to our welfare, it is he sometimes. It is he who encourages them. It is he who contributes to form

the learned public for whom the modest *savant* labours. It is he who has large libraries, who reads Sophocles, Virgil, Dante, Galileo, Descartes, Bossuet, Molière, Racine, Montesquieu. If it is not he, it is at his house, around him, near him that they are read, criticized, appreciated, and that you find the enlightened polished society, with fine taste and trained judgment, for which genius writes, sings, and paints. Sometimes he will not be satisfied with admiring the works of others. He will produce some of his own. He will be the rich Sallust, the rich Seneca, the rich Montaigne, the rich Lavoisier, the rich De Medici, the glory of that republic which was most fertile in riches and in art, which spread over Europe its cloth, silk, velvet, wrought gold and silver, coinage, credit, the knowledge of banking, and gave to the world Dante, Petrarch, Boccaccio, Machiavelli, Galileo, Ghiberti, Brunelleschi, Leonardo da Vinci, and Michael Angelo.

There are other benefits conferred by wealth which are not specifically enumerated in this passage. It has endowed our towns and cities with hospitals, schools, scientific and industrial institutions which react in the most beneficent way upon the fortunes of the poor.

But it is not in the interest of wealth, or of the wealthy classes, that I have developed this argument, or quoted the words of a famous statesman. We must give even 'Dives' his due ; but when all is said that can be said in his favour, we cannot blink the fact which stares us in the face, that in the midst of abounding and defiant wealth there are millions of our fellow-men either starving or on the brink of starvation. Making all allowances for the number who have gone under through their own fault there are myriads who are still the victims of the social conditions in which we live.

Charity has not reached them. Philanthropy has not rescued them. 'Dives' has left them to their fate. The provision made for them in Christian days has been swept away. The rights of commonage, of pasture, and of gleanage, which they enjoyed so widely and so freely in the Middle Ages, have been confiscated. The religious houses which fed and clothed so many of them with a tender regard for their bodies as well as their souls have been stripped of their possessions. The patrimony which is their due is withheld from them by worldly and selfish materialists.



Great numbers of them are truly in a condition of unjust misery—*injusta miseria*, as Leo XIII terms it—clothed in rags, hungry and cold, living in surroundings unworthy of the dignity of the human person.

It is undoubtedly the duty of the Christian Church not only to help and comfort and console those who are thus afflicted, but to assert and defend their rights by every means in her power. And when she finds that individuals will not hear her voice, and that her own resources will stand no greater strain, there seems nothing for it but to invoke the intervention of that power which represents—or should represent—the sense of justice, of humanity, and of brotherhood of the whole community. On that power she should exert all the pressure at her command to force it to discharge responsibilities which fall to it now with a double weight. Well and nobly have many States responded to this call, and are responding at the present day. But he who runs may read. Anyone who walks our streets or turns into the slums of a large city or the wretched lanes of our little country towns, to say nothing of the rural slums that abound on all sides, will see how much remains to be done. Numberless, however, are the ways of doing it besides having recourse to the wildest, most foolish, and least effective of the remedies proposed.

J. F. HOGAN, D.D.

## THE BETTING EVIL

THE Report of the Joint Select Committee on Lotteries and Indecent Advertisements, recently published as a Parliamentary Paper, recognizes the alarming consequences that are likely to follow from the modern spirit of gambling and speculation, and makes some suggestions for legislation, in order that the law may be enabled to check the evil in certain directions. The Committee were of opinion that some steps should be taken to deal more effectually with the advertisement and publication of foreign lotteries. They recommended, too, that it should be made illegal for any newspaper proprietor, publisher, or editor to charge any form of entrance fee (including the purchase and return of coupons) for prize competitions in his paper. They do not recommend the repeal of the Art Union Act, but are of opinion that the Board of Trade should exercise a stricter vigilance over the proceedings of Art Unions.

For various reasons legislation cannot be expected to have much direct influence on such classes of social evil; many forces prevent the enactment of anti-gambling laws, and tend to keep them inoperative when enacted. Even though these recommendations passed into law, and these particular forms of the abuse could be prevented, yet as long as the spirit of gambling and senseless speculation possessed large sections of the community, so long would that spirit find opportunities of exercising itself. If laws succeeded in stopping the 'limerick' competitions, we may make up our minds that most of the people that formerly gambled in 'limericks' would henceforth gamble in something else. The most advantageous effects we can look for from such laws, and the discussions that lead up to them, will be their influence on public feeling, by enlightening the public mind, and stirring up the public conscience to the folly and immorality of the abuses they condemn. It is undoubtedly desirable that occasions of gambling, as of

all manner of evil doing, should be restricted, and so we should be so far grateful when practices are prevented that afford special facilities for the indulgence of this vice, or that offer special temptations to any section of the community.

It will be noted that the Committee dealt with what in reality was but particular manifestations of a disease that was seated much deeper in the social constitution. The disease itself did not come within the scope of their inquiry ; neither did that which for us is by far its most serious form—betting. Indeed it is now pretty evident that the laws, in these countries, are unable to cope with the betting evil. To a greater extent even than the liquor traffic it has entrenched itself behind a fortification of prejudices, interests, and selfishness that defy the attacks of the most determined champions of legislative reform. We may judge to what an extent gambling has taken hold of the people by the magnitude and prosperity of the institutions that cater to that passion.

Although lotteries are foreign institutions, and all their profits go to foreign countries, still judging from the persistency of their circulars and advertisements, we may be sure they are not without a considerable business amongst ourselves. It would appear that this obsession of gambling is able to blind its victims' minds to the most elementary truths. Lord Rosslyn's abortive exploit was only an attempt to do on system what ordinary patrons of these lotteries hope to accomplish by chance. Anyone that is not the most arrant fool must know that the amount distributed in prizes falls far short of what is received from the purchasers of the tickets. The price of the ticket is really paid for the chance of a prize, and the witless purchaser does not appear to be aware that he is indeed far from getting value for his money—that it must be calculated according to the most unerring principles that he pays for his chance far more than it is worth, that it is from what he and other purchasers overpay that the expenses, which from the amount of printing and postage alone must be enormous, as well as the profits, which make it worth while to maintain these legalized frauds, must be realized.



Not unfrequently we come across cases where simple people have been ruined through the influence of these lotteries. The chance—its remoteness is not considered—of winning a fabulous prize at a relatively trivial cost appeals strongly to certain classes of minds. Sums that, small though they are, can be ill afforded, are paid for the tickets, and the infatuated purchaser waits on for his luck to turn up, in vivid anticipation of his fortune losing interest in the prosaic business of his present state, till he becomes a social wreck and goes the common way of wrecks. With consummate skill, but with the utmost callousness, the exploiters of lotteries play on this weakness. Here are some choice specimens from their advertisements:—

It is a well-known fact that everyone feels inclined to seize an opportunity for opening a road to fortune, and thereby to happiness, the more so, if on such a venture, we are not obliged to make any greater sacrifice. . . . We, therefore, ought not to neglect those ways and means in which chance, good luck, have a conspicuous part. . . . We all gamble. Just admit that. . . . In a life, that can see but backwards and look uncertainly forwards, the gamble is the only real luxury. . . . You want, and rightly so, to get rich. Drudgery has no fascination for you or for any sensible person. . . . It is the only method whereby a man or woman may go to bed in comparative poverty and wake up to find himself or herself in the possession of thousands of pounds. . . . The door of wealth has now been opened for you. Go in !

And in leaded type: 'We may soon be in the position of announcing to you some large prize, thus counting you among the great number in your country who have received considerable sums by the medium of our house.' One can almost see the grin, cynical and contemptuous, of a demon whispering these words into the ear of some fated victim. It is no wonder that it has been recommended that some steps should be taken for the suppression of such advertisements.

As these lotteries are organized in foreign countries, we share less in their guilt than in their folly. And their folly, great as it undoubtedly is, is insignificant compared with what is associated with the practice of betting.

It is to be feared that not a few even of the more thoughtful deceive themselves by a wrong application of the principles that apply to the morality of betting. What these principles are anyone can satisfy himself, by referring to any treatise on Moral Theology under that heading. Nor is there any danger of their being misunderstood. They are too brief and too clear for that. The danger is that other principles are likely to be forgotten. Because betting is allowed to be lawful in itself, it is but too often assumed that, provided one is guilty of no fraud, he never does any wrong when he makes a bet. It is a commonplace in theology that an action may be indifferent or good in itself, and yet become unlawful because of certain evils that are connected with it. And so with betting. We all know what an immense train of evils are connected with it and can form an idea of the number for whom it would become unlawful for that reason. If betting is unlawful for all who through it are led into ways of idleness, extravagance, or injustice—as according to this principle it is—then, from the most common knowledge of facts, we may conclude what a large proportion of the sporting habitues are debarred from lawfully indulging it.

But there is another point of view from which this principle is equally applicable to the practice of betting, and much wider in its scope, inasmuch as it applies, in its measure, to all who patronize organized betting systems. It is through the patronage of the public that these systems are maintained, and so everyone who patronizes them, no matter how slightly, becomes, to that extent, responsible for their continuance and for the innumerable evils that are associated with them. Nor can anyone offer as a salve to his conscience the reflection that the amount he bets personally cannot much affect the prospects of the system, one way or the other, since it is certain to go on, without being perceptibly affected by the fact whether he bets or not. The man who joins a party of raiders might make a precisely similar plea, and say that his co-operation makes no difference, certain premises will be rifled, whether he attach

himself to the party or not; yet no one would think of excusing him on that account. Or if, to use a more accurate parallel, the inhabitants of a particular locality throw stones into the bed of a river, so as to deflect it from its course, and cause it to overflow into and destroy a fertile valley, no one of their number could escape responsibility for that act on the grounds that his co-operation in the matter could have made no difference, since if he did nothing the amount of stones thrown in by the others would have been sufficient to cause the damage. Whether in these circumstances, anyone could lawfully cast stones into that river, would have to be determined by the justifying causes that may exist for his doing so—such as the inconvenience of the stones on his own land—as weighed against the magnitude of the evil caused by the change of the river's course, multiplied by the efficiency of his act to produce that effect. And similarly whether anyone can lawfully indulge in public betting must be decided by balancing the just causes that might induce him to it—such as moderate relaxation—with the evils of the system and his efficiency to maintain it. That any ordinary outsider's share in maintaining the betting system is small, indeed, I am prepared to admit. But the evils of that system are so enormous that the product of these factors must always be something considerable, and seldom such as not to outweigh the justifying causes on the other side.

The public evils of betting have been so often elaborated that it may seem superfluous to dwell on them here. However, as I have taken them into my calculation, perhaps it will not be out of place to call attention to them somewhat more in detail. There are two aspects from which we may regard these evils, and from either their appearance is such as might sicken the heart of anyone interested in our country's welfare and integrity. It is hard to say which is the sadder sight, the unearned prosperity of the active promoters of the system, or the abject misery of their infatuated victims. But the contrast between the two leaves no room for any other feeling than that of profound abhorrence.



We have become quite accustomed to hear severe strictures passed on what are called the parasitic classes of society. No one can say that the denunciations are not sometimes richly deserved. And surely, if ever there was a tribe of parasites for whom there could be no possible justification on economic or moral grounds, those who follow the profession of betting, or who look to it for their support, must be regarded as such.

Anyone who happens to find himself in the neighbourhood of a racing centre on the day of the races cannot fail to be struck by the contrast between the quiet, half-sleepy life of the people on ordinary occasions, and the eager excitement of the crowd on that day. Everyone seems transformed into a sportsman for the time. Staid business men would fain give the impression that they have not an interest in life beyond horse racing; respectable members of learned professions are eager to conform their manners and appearance to the style approved of at such gatherings. Horse flesh is the cult for the occasion, and it behoves everyone to assume an interest therein if he has it not. Lavish spending is the order of the day. Men who for 364 days of the year would higgler over sixpence, whose daily bread, in fact, is dependent on such attention to trifles; traders who avail of the most paltry advantages against their customers; employers who will not allow their labourers decent wages; professional gentlemen who cannot abate a farthing of their fees for the most destitute clients—squander money, as if they regarded it as the vilest dross. It would be interesting to know what pangs and what privations attended the accumulation of the money that is handed around so freely here.

Still lavish spending cannot but be of advantage to somebody; someone must profit by it. Certainly it does not go astray. The betting fraternity that dominate that gathering reap a rich harvest. The professional book-makers are present in great strength, the real moving spirits of that mighty muster of clerks, tipsters, impecunious spend-thrifts—vultures attracted by the pestilence of betting which provides them such abundant prey. These gentle-

men, although bred to no business and born to no estate, unlike Will Wimble, are not dependent on the kindness or generosity of their friends. They are beholden to no one; indeed, their independence is striking, sometimes even aggressive. They frequent the best hotels, and drive the flashest cars, pay as they go, and make generous gratuities. They carry all before them with a swagger. The amateur sportsmen pay a heavy toll for their pleasant little piece of self-deception—their horsey appearance, their knowing airs, and their obtruding field-glasses. When they, their sorry masquerade over, and some of them congratulating themselves on the sagacity they have displayed, return to their prosaic everyday avocations, the betting men and their associates, who somehow have managed to pick up much of the money that has been flying so freely around, are off to fresh fields and pastures new to repeat the same kind of office for another gathering of would-be sportsmen. The money, often so laboriously and sometimes with so much doubtful honesty accumulated, serves to maintain that body in fast living, and enables the more successful of their number to amass vast fortunes.

And the evil does not end with the race meetings. After all, the frequenters of race meetings are comparatively few, and of these the vast majority, although they squander money that might easily be turned to better purpose, suffer no serious permanent losses. There is far worse. The most nefarious part of the betters' business is done not on the race courses, but through the post or by means of local agents. In this way the pestilential influence of betting is enabled to infect all classes of society. The make-believe sportsman of the race course is ridiculous enough; but the make-believe sportsman who remains at home is many times more ridiculous, although at the same time infinitely pitiable. What could be more absurd than a group of 'sporting characters'—shop assistants, tradesmen, or labourers—sagely discussing the merits of the different entries for some coming 'event'? Rarely has any of the crowd seen one of the probable starters, but as a rule that makes no difference. They are not interested in horse-flesh

as such ; in fact, few of them could distinguish at sight between a racer and a hackney. But they have been reading the cheap sporting sheets, and are perfectly up in the 'form' and 'performances' of them all. The discussion is perfectly free. Each has the utmost confidence in his own judgment, but somehow despite that, and despite the eloquence with which he urges it, he is able to make a surprisingly small impression on the others, perhaps because they have learned from sad experience that it is not to be relied on. One has been following the performances of a certain horse for some months, and has made up his mind that he is going to 'get there' this time, another has it on reliable authority that So-and-So is being sent to win, while a third has a 'tip straight from the stables' about a rank outsider that is good 'buying' at his quoted price. No one is convinced by what he hears. Each goes and backs his fancy, the 'sure thing' or the 'good value' as the case may be, and the real 'cute one' of the party quietly determines, 'just for security,' to put something on 'both ways.' This foolish self-complacency is not laughable, only because it is so intensely sad, and the root of an infinity of sadness. The race comes off, and notwithstanding the amount of expert opinion that has been had on the matter, that body will be generally found to have lost considerably on the whole transaction. Some will have won. 'Tis impossible that it should be otherwise, where so many different selections have been made. Occasionally even, by some accident, their combined winnings may exceed their losses. But balancing their accounts for the year they will be sure to come out considerably on the wrong side.

It is precisely because one may win any time, does win sometimes, and comes so near winning often, that betting is able to work the widespread havoc it does. It is the hope so sustained that induces the clever tradesman to continue betting after he has lost seriously again and again, after he has been compelled to deprive his family of what he regarded as the necessities of their state, after he has ceased to take real interest in his work



—for how could he regard a paltry few shillings a day, while he frequently stands to win or lose as many pounds on a single race?—and even after he has given up work altogether. The same fatal fascination causes the simple shop assistant at first to sport the few odd shillings he can spare and in course of time to pilfer from his employer, always of course with the vague intention of making restitution, when his luck turns, and ultimately leaves him ruined, a young man without occupation, means, or character. The young medical student, too, begins to ‘try his luck,’ ‘just for the sensation of the thing,’ but the sensation often proves too fascinating for him. The sporting columns of the newspapers receive more of his attention than the less inspiring tomes that treat of medical science. He fails at his examinations, and unconsciously abandons hope of ever succeeding in them. He is shocked, perhaps, when he realizes how matters actually stand, but not for long, he has sunk imperceptibly to an idler and a sponger, and meanwhile his moral feelings have been so blunted that he soon ceases to see anything degrading in his position.

No section of society appears to be immune from this fell delusion. Vast estates have been and are still being sacrificed to it; happy homes have been wrecked through it. It amounts almost to madness in some cases. Fathers bet; mothers bet; and children bet. Instances have been recalled where children had to be kept away from school, because their clothes had been pledged, and the proceeds had gone to back a horse. We need not stay to consider how it fared with such poor children when the race was run and that horse did not win.

It is surprising that these ‘knowing ones,’ who bet so much—since, after all, they are not wholly destitute of common sense, and sometimes display more than ordinary shrewdness—can be imposed on by such a transparent hoax as the betting system. If they cannot see that in every bet they make they are paying for far more than their fair chance, or if their passion for gambling makes them indifferent to that, is it not astounding that they are not alive to the palpable fact that it is on them, and on others like them,

that the mighty array of bookmakers and their motley retinue live, and in many instances accumulate wealth? One might expect that when the knowledge of these things comes clearly to light, as it does from time to time, it should set them thinking to some purpose. But no; the passion for gambling makes them ignore these facts that trumpet-tongued proclaim their eminently practical lesson.

A stranger tyranny still this gambling mania holds over the public mind. No matter how much weakness or passion might induce men to sacrifice themselves to it, yet it were natural to expect that the betting system, as the source of much wretchedness and iniquity should be held in abhorrence, and that the professional bookmakers that promote it and thrive on the ruin and degradation of its victims should be loathed and contemned as public pests. But the facts are far different. It requires almost heroic courage now for any young man (or old man for that matter) to confess in public that he is not interested in 'sport,' which generally means betting. It is imperatively fashionable to follow the betting quotations, to be prepared, or pretend to be prepared to put 'something on.' These sporting idlers that spin not nor sow, although they may not exactly rival the glorious splendour of Solomon, are widely imitated in the matter of dress—an imitation that is responsible for many human curiosities in riding breeches and leggings.

Some years ago when a Commission was examining this question, a noble witness coolly gave it as his opinion that betting on race horses should not be entirely prohibited, as such a course would interfere with the success of horse breeding. Does it not seem hopeless to contend against the habit of mind revealed in such a view? If people in high stations, and of admitted authority, think more highly of the horse's bone and blood, than of the people's prosperity and morality, where are we to look for a remedy? Is the fatal allurements of betting to be continued dangling before its infatuated votaries, in order that at their sacrifice racing studs may flourish? Must it go on for ever, this sacrifice of the masses, that the wealthy may enjoy exciting holidays? Race horses are useful only for racing. Their

cultivation might indeed be desirable, if racing were the noble sport it might be, had it not become the effective instrument of wholesale mischief through the influence of betting. Betting, as we know it, may be play for wealthy noblemen, but it is death, often worse than death, for thousands of the public. The manliness and honour that used to be associated with horse racing are now being recognized to be merely mythical. Recent revelations in the law courts have helped to dispel that pleasant fancy, and to disclose the sordid practices of some of these would-be high-souled gentlemen. It is betting that has led to this, that is fast degrading a magnificent sport to a disgusting swindle.

And so with every other sport that comes under this baneful influence, and none appears capable of perfectly resisting it. Athletics that might afford such healthy recreation for spectators, as well as for competitors, have long been looked on with suspicion. The ordinary public cannot be expected to interest themselves in contests that, they have reason to believe, have been squared beforehand, with an eye to the more advantageous distribution of the betting spoils.

As has been said, the law appears powerless to deal with the evil in these countries. And naturally ; in matters of this kind, it is only laws that enforce the settled practical convictions of the mass of the community that can be expected to be effective. Legislation cannot go faster than public opinion. And so, as long as the generality of people look on betting as harmless, honourable, and sportsmanlike, so long will laws be powerless to prevent it.

Newspapers, too, have been blamed for their mercenary zeal in pandering to this vice. But not altogether justly. It is that we must have some scapegoat to carry our iniquities. The newspaper is undoubtedly a great moral force, yet, to a greater extent even than legislation, its influence is dependent on public sentiment. We can never forget that financial considerations must necessarily have immense power over the policy of ordinary newspapers. If a special sporting column, with a special sporting reporter, betting



quotations, infallible tips from 'Nemo,' or some other anonymous oracle, is essential to the profitable circulation of the paper, it is too much to expect from the directors of a limited company of shareholders, hungry for dividends, to exclude it altogether. And even though financial considerations be neglected, if a paper is maintained solely for moral influence, regardless of expense, that influence cannot be any great power unless the paper circulates, and if people desire what is called 'sporting news,' they will buy the papers that supply it, and the high principled organs may be unquestionably moral, but they will remain useless because unread.

Although the law and the press can of themselves do little to mitigate the ravages of betting, they can do something and ought. Above all, working with other forces of a similar nature, they can do much to bring the country to a sane, moral view on the subject. For it is only when people are made alive to the full effects of their acts in this connexion, and become practically convinced of their responsibility for them, that we can expect any measure of improvement. Anyone who really understands the many sided evil of betting must feel ashamed, must regard himself a culprit, if he has to admit any share in positively producing it. The great force to be contended against here is the inconsiderateness, the selfishness that prevents men from regarding the consequences of their acts and accepting responsibility for them. It is all very well to say that life would be intolerable, if we had always to be considering the possible effects of our actions in such a manner. It does seem a pity to disturb such smug complacency of conscience. Still, if we admit responsibility at all, how can we consistently shirk it here? As we are essentially social beings, we may not ignore the effect of our conduct on others, or on the community of which we form a part. We may remind ourselves, too, for our consolation, that life would be, in every respect, better for more of this consideration, that we suffer far more from defect of it than from excess.

J. KELLEHER.

## HISTORICAL NOTES ON THE 'ADESTE FIDELES'

IT is strange what a romance can be woven round the story of a hymn, which cannot definitely be traced further back than the eighteenth century. Time after time we come across magazine articles professing to give us the origin of the popular Christmas Hymn, but apparently one writer blindly copies another, and so the legend continues as to the period when the *Adeste Fideles* was written and composed. Most writers agree that the words are 'from medieval times,' whilst the music is said to be found in 'a sixteenth-century Gradual of the Cistercian Order.' Others allege that the melody is 'among the anthems composed by John Reading, Organist of Winchester College, about the year 1680,' but having been introduced into the Chapel of the Portuguese Ambassador in London, in 1780, acquired the name of the 'Portuguese Hymn.' Let me say at once that all these stories are the veriest fiction; indeed, the *sons et origo* of the 'Reading' story was Vincent Novello, who was organist of the Portuguese Chapel, London, from 1797 to 1822.

There is a floating tradition that the *Adeste Fideles* was first heard in Dublin, in the Convent Chapel of the Dominican Nuns in Channel Row, about the year 1748. Some time before that year Dame Mary Bellew had presented the nuns with a beautiful organ, and it is surmised that she also supplied them with the choicest sacred music. Be that as it may, there is no definite trace of the Christmas Hymn prior to the year 1745, and it is remarkable that the earliest existing transcript of the melody is in a volume of manuscript music of about that date in the museum of Clongowes Wood College, the well-known Irish Jesuit establishment.

No doubt it would be gratifying to assign a very much earlier date than the first half of the eighteenth century for the appearance of the *Adeste Fideles*; but the most patient research has not yet succeeded in tracing it earlier than

1745 or 1746. Apart from historical reasons, internal evidence stamps the melody as certainly not earlier than the Handelian epoch, and we can dismiss with scant courtesy any romances that make for an earlier origin.

A recent writer has claimed the tune of the Christmas Hymn for old Samuel Webbe, but as we have certain proof that it was in manuscript in 1745-6, this claim cannot be considered, inasmuch as Webbe was then but five years old, having been born in Minorca, in 1740. Webbe studied in London, under Charles Barbandt, but this was not until 1759, previous to which he was a cabinet-maker. His earliest musical compositions only date from 1763, the year in which he got married, and as he was not appointed organist to the Portuguese Chapel till 1776—a position which he held till 1797—Webbe's claim cannot be upheld.

Here it may be convenient to quote an extract from Vincent Novello's account of the melody, as printed by him in his *Home Music* (1843), set to Psalm cvi., with the heading, 'Air by Reading':—

John Reading was a pupil of De Blow (the master of Purcell) and was first employed at Lincoln Cathedral. He afterwards became Organist to St. John's, Hackney, and, finally, of St. Dunstan's in the West, and St. Mary's, Woolnoth, London. He published, towards the end of the seventeenth century, a collection of anthems of his own composition, and his productions are generally esteemed for their tunefully simple melodies and appropriately natural harmonies. This piece obtained its name of the 'Portuguese Hymn' from the accidental circumstance of the Duke of Leeds, who was a director of the Concert of Ancient Music, many years since (about the year 1785), having heard the hymn first performed at the Portuguese Chapel, and who, supposing it to be peculiar to the service in Portugal, introduced the melody at the Ancient Concerts, giving it the title of the 'Portuguese Hymn,' by which appellation this very favourite and popular tune has ever since been distinguished. But it is by no means confined to the choir of the Portuguese Chapel, being the regular Christmas Hymn, *Adeste Fideles*, that is sung in every Catholic Chapel throughout England.

Novello's story will not bear examination, for if John Reading really composed the *Adeste Fideles* he must have done



so at the mature age of three! Reading was born in 1677, and the 'Book of Anthems' was published in 1680—which fact as once disproves the statement that he could have been the composer. But there was another John Reading, Organist of Winchester Cathedral, who wrote some anthems in 1680, and who is claimed as the composer of 'Dulce Domum.' It is sufficient to state that an examination of his published works does not reveal the structure of a single hymn tune remotely resembling the *Adeste Fideles*. Dr. W. H. Cummings, who has two manuscript volumes composed by this Reading, says that he could not discover any tune by him at all like the Christmas Hymn. Therefore, Novello's legend falls to the ground, and Reading's authorship, with the date 1680, must be put aside, as not deserving serious attention.

The earliest appearance in print of the tune of the *Adeste Fideles* is in an extremely scarce little musical work for Catholic services—in fact, the earliest English volume of Catholic Church music, entitled, *Sacred Hymns, Anthems, and Versicles for Morning and Evening Service*, edited by Charles Barbandt, Organist of the Bavarian Chapel, London, and published by him in 1766. Eight years later it was printed in the *Manual of Catholic Hymns*, in America, by Bell, being the first American Catholic music book. I believe it also appears in the *Katholisches Gesangbuch*, published at Vienna in 1775. It is worthy of note that the music and words of the *Adeste Fideles* appeared in *An Essay on the Church Plain Chant*, printed and published by an Irish Catholic, J. P. Coghlan, in London, in 1782. The arrangements in this interesting volume were by Samuel Webbe, and probably it was on that account that the actual composition of the Christmas Hymn was ascribed to him. However, as we have seen, the music is given in Barbandt's book, which was compiled before Webbe wrote any musical compositions.

To Irish readers it must be specially interesting to learn that the oldest known music of the *Adeste* is, as previously stated, in a manuscript connected with Ireland, dating from 1745 or 1746. Another manuscript copy is to be found in

a volume now at Stonyhurst College, near Blackburn, in Lancashire. This volume is dated 1751, and is exquisitely written throughout. It was transcribed by Father John Francis Wade, for a wealthy Catholic 'recusant' named Nicholas King, and in addition to the *Adeste Fideles* contains the music for the *Stabat Mater* and *Tantum Ergo*. Only four verses of the original hymn are given, namely, the first, second, seventh, and eighth. Yet this volume, entitled, *Cantus Diversi pro Dominicis et Festis per annum*, is remarkable as containing the earliest copy of the words of the hymn.

A third manuscript, containing the Christmas Hymn, is now in St. Edmund's College, Ware, and is dated 1760. but it does not differ materially from the Stonyhurst manuscript. Curiously enough, whilst the first, third, fifth and sixth verses are usually sung in France, the cento of the Stonyhurst manuscript (namely, the first, second, seventh, and eighth stanzas) is that adopted in England and Ireland.

The earliest printed copy of the words of the hymn that I have been able to trace is in the *Evening Office of the Church*, a Catholic manual published in 1760. It does not occur in the previous issues of the book, printed in 1710, 1725, and 1748. It is of interest to add that a rubric in this 1760 edition of the *Evening Office* thus introduces the hymn: 'From the Nativity of our Lord to the Purification, exclusive; whilst the Benediction is giving, is sung *Adeste Fideles*.' The translation commences: 'Draw near, ye faithful Christians.'

We can thus definitely trace the beautiful Christmas Hymn in the years 1746, 1751, 1760, 1768, 1774, 1775, and 1780. Its popularity was assured in 1792, as in that year it was printed in Samuel Webbe's *Collection of Motets*. It may have been printed at about the same time in Irish service books, but the earliest musical setting I have seen, from a Dublin house, is that published by P. Wogan, in 1805. The earliest French printed version is in the *Office de St. Omer*, in 1822.

Of course the original words were in Latin, and the author is still unknown. It was not until the year 1789

that a new English translation appeared in a Catholic Service Book for Compline and Benediction. This translation was republished in Haydock's *Collection of Catholic Hymns*, in 1823. A few years later the saintly Father William Young published in sheet form the music, with English words of his own. This setting was included in the *Catholic Choralist*, printed in Dublin in 1842, of which a copy is in my musical library. I append the first stanza, not as a specimen of good hymn writing, which it certainly is not, but as being the Dublin translation of the *Adeste Fideles* :—

With hearts truly grateful,  
Come, all ye faithful,  
To Jesus, to Jesus in Bethlehem.  
See Christ your Saviour  
Heaven's greatest favour,  
Let's hasten to adore Him,  
Let's hasten to adore Him,  
Let's hasten to adore Him,  
Our great Lord.

The English words usually sung in Protestant and Dissenting churches are from the pen of Canon Oakley, Rector of St. Margaret's, London, commencing 'O, come all ye faithful.' He made a translation in 1841, but an improved version was published in 1852, being subsequently included in *Hymns, Ancient and Modern*.

Strange to say it was not until December, 1901, that the full text of eight stanzas of the Christmas Hymn was published under the editorship of Dom Samuel Gregory Ould, O.S.B. This arrangement is specially interesting by reason of the fact that each of the eight verses is arranged with a prelude and accompaniment by eight different composers, namely, Dom Ould, O.S.B., William Sewell, H. B. Collins, Sir Walter Parratt, Dr. A. E. Tozer, Sir C. H. Hubert Parry, Dr. C. W. Pearce, and S. P. Waddington, the prelude being by Dr. F. E. Gladstone.

From all that has been said, it is safe to assert that both the words and music of the *Adeste Fideles* cannot claim a greater antiquity than the second quarter of the eighteenth



century, and both author and composer are alike unknown. There is an unmistakable Irish flavour about the melody that cannot be considered accidental, and the oldest existing manuscript copy can be traced to Ireland. Anyhow, from 1746 to 1776 the hymn came into general use for the Christmas season, and has so continued ever since. It was not until 1842 that the *Adeste Fideles*, as set to English words, by Canon Oakley, was introduced into Anglican churches, but since then it has been included in nearly all dissenting hymn books. The original form still finds an honoured place in all Catholic churches at the Christmas season.

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## THE SECULARISATION POLICY IN THE GERMAN EMPIRE

**E**VEN after the Peace of Westphalia, in 1648, the Catholics remained the dominant party in Germany.

With the House of Hapsburg, the powerful supporters of the Catholic Church, still rested the imperial dignity. The Catholic States were specially strong, the bishops were in most cases civil princes, and the universities were in a great measure Catholic in their staff and teaching. Yet, on the other hand, the nineteenth century witnessed the almost complete overthrow of the Catholic strength in Germany, the downfall of the Holy Roman Empire, the rise of Protestant Prussia to the position abdicated by the House of Austria, the foundation of a new empire in place of the old, and the destruction of the Catholic character of nearly every university in Germany. This is the first puzzling problem that confronts the student in his study of the modern ecclesiastical or civil history of the German States. It is especially puzzling for the educated man of the world who merely notes the fact, and can find no satisfactory solution. It might be well, therefore, to explain in a brief and popular way the causes that led to this sudden shifting of the centre of power.

In the old days when the feudal system flourished on the Continent, the Catholic Church acquired immense territories within the Empire. The bishops and abbots were likely to be more loyal and peaceable than the feudal barons, and, hence, the emperors were particularly anxious to strengthen their own power by investing the ecclesiastics with large estates. The wars of the Reformation made a great inroad on the power of the ecclesiastical rulers of Germany, but in spite of the concessions made in the Peace of Westphalia they still remained a strong force within the Empire. The Bishops of Metz, Treves, and Cologne, were Prince-electors of the Empire, and ruled as civil princes

immense territories along the Rhine. Nor were they the only ecclesiastical princes of Germany. The Bishops of Augsburg, Bamberg, Basel, Brixen, Constance, Fulda, Münster, Paderborn, Regensburg, Salzburg, Strassburg, Trent, Worms, etc., were also temporal rulers holding sway over well-populated territories, and as independent as the lay rulers of any of the States. Many of the abbots of the German monasteries were in the same position; and in addition to the lands over which the ecclesiastical rulers exercised temporal jurisdiction, immense demesnes scattered all over the German States were owned by bishops, chapters, seminaries, monasteries, convents, and other religious institutions.

It is calculated that at the outbreak of the French Revolution, in 1789, about 1,719 square miles, with a population of 3,200,000, were subject to the rule of the spiritual princes, out of which they derived a yearly income of not less than £205,000. The amount received, in addition to this, from the large demesnes held by religious corporations in all parts of the Empire, cannot be estimated with anything like certainty. This immense wealth left the Catholic Church in the German States independent and self-supporting. It provided for the maintenance of the seminaries, schools, universities, and religious institutions, and secured that they should be free from the yoke of State interference.

The project of secularising the territories of the ecclesiastical princes had been mooted more than once during the eighteenth century. The strongest supporter of the project was Frederick II of Prussia, who favoured the secularisation not alone as a means of increasing his own State but of dealing a blow to the Catholic Church within the Empire. His correspondence with Voltaire proves beyond doubt that this second motive was not without its influence on Frederick's mind. The position of the ecclesiastical princes was, however, too strong for an open attack at this period, and the House of Hapsburg would have certainly resisted such a measure.

When the French Revolutionary wars had robbed the German princes of their territories on the left bank of the



Rhine, and when the terms of peace between the German States and France were being discussed, the plan of secularisation was brought forward anew. It was insisted on by the victors that the left bank of the Rhine must be ceded to France, and as this meant the spoliation of a large number of German princes, it was contended that the peace could be permanent only in case these men were compensated out of the ecclesiastical territories. This idea was opposed by many of the States as contrary to the elementary principles of justice, but after the Peace of Luneville, in 1801, Napoleon cut short the discussion by a peremptory command that the secularisation should be carried out.

Nor is it necessary to attribute this attitude to Napoleon's hatred of the Catholic religion. Political policy, not religion, was the mainspring of Napoleon's hostility to the ecclesiastical princes. Even then the First Consul was dreaming of a Western Empire, which would rival that of Charlemagne in its days of greatest splendour. Such a dream could never be accomplished so long as the Holy Roman Empire held together, and so long as the Emperor could count upon the loyal support of the rulers of the confederate States. The votes of the ecclesiastical princes in the Reichstag were generally cast in favour of Austria, and it was precisely these votes that secured the supremacy of the House of Hapsburg. This was a sufficient reason for the suppression of the ecclesiastical States. With these suppressed, and their territories split up among the princes, especially among the Protestant princes, of Prussia, Würtemberg, Baden, Hesse, etc., the downfall of Austria would be secured. A rivalry would be established between the North of the Empire and the South, between Berlin and Vienna, between Catholic and Protestant, and while German was contending with German, France could control both parties and dictate terms of peace both to Prussia and Austria.

To their shame, be it said, the greed of the German princes overcame their patriotism, and made them willing accomplices in the schemes of Napoleon. The peculiar nature of the Confederacy had destroyed all notions of a

common country in the minds of the German princes, and left them ready to support the foreign invader in his wars against their own emperor, and to lend a hand in the dismemberment of their own country. The question of secularisation became acute at the Reichstag in Regensburg, in 1801. The Peace of Luneville already concluded with France by the Emperor in the name of the Confederacy, required ratification by the Diet, and measures had to be taken to compensate the lay princes whose estates had been ceded to France. Secularisation of the ecclesiastical territory was put forward as the only method of compensation, but had it been left to the free decision of the Diet, the proposal would certainly have been rejected as inconsistent with all ideas of justice.

France and Russia insisted on its acceptance by the Diet as the only method of securing a permanent peace. Nothing remained for the Emperor but to submit, and an Imperial Commission was established to arrange the details of settlement. It was in Paris, however, not in Regensburg, that the question was to be decided. Many of the German princes hastened to send their ambassadors to the Court of Napoleon, and a shameful competition took place between them to see which of them should receive the largest share of the spoils in the plan of dismemberment. Bribery and flattery were used alternately, and the representatives of princes who could trace back their ancestry to the great imperial rulers of the Middle Ages were to be seen in the antechambers of some miserable French official begging his assistance in securing a slice of the ecclesiastical provinces. By these means Napoleon bought them over to aid him in his plans for enslaving their country. Prussia and Bavaria, Baden and Würtemberg, led the way in this scandalous traffic, and obtained their grants not from their Emperor or their confederates, but from the bitterest enemies of their country, France and Russia.

In these circumstances nothing remained for the Diet but to ratify the plan of secularisation laid before it, in February, 1803, by eight princes of the Empire, and on February 25 the decree which practically put an end to

the ecclesiastical States was passed by the Diet. Dalberg, the Primate of Mayence, and the special favourite of Napoleon, retained Regensburg, and a small district adjoining, but the other ecclesiastical territories were split up amongst the lay princes of Germany. In the division Prussia secured three times as much as it had lost, Baden six times as much, Nassau three times as much, Würtemberg, Hesse-Cassel, and Hesse-Darmstadt twice as much as had been ceded, while Bavaria profited very largely, as did Austria, though to a much smaller extent than the rival States. Thus the secularisation of the ecclesiastical territories not only inflicted a direct injury on the Catholic Church, but it destroyed the preponderance of Austria and the Catholic party, and increased the territories of the Protestant States, Prussia, Würtemberg, Baden, and Hesse.

While it is possible to defend the policy of secularisation on the grounds of political necessity and the general good, it is difficult to find any reasonable excuse for the additional decrees regarding the ecclesiastical property passed by the Diet in February, 1803. The lands owned by the monasteries, convents, chapters, seminaries, dioceses, parishes, etc., stood on quite a different footing from the political jurisdiction of the spiritual princes. These institutions held their lands by exactly the same title as any private owner, and without endangering the whole social fabric it was difficult to understand how they could be dispossessed. But the spirit of the French Revolution had infected the minds of the German princes. Though they were slow to accept any of the good principles of the Revolution, they had no hesitation in imitating the example of the Revolutionary leaders when such imitation was likely to be profitable to themselves.

They decreed that the lands of the ecclesiastical chapters and foundations were to be included in the lands of the bishop, and both were to pass to the lay princes to whom the territory had been assigned. It was further ordained that the properties of the monasteries, convents, seminaries, and institutions, no matter in what manner they were held, should be assigned to the lay prince of the State



in which they were situated ; and the latter was empowered to use the revenue, not alone for the maintenance of religion and education, but also for relieving the financial embarrassments of his government. Pensions were to be paid to those who had been dispossessed, the necessary expenses of worship were to be provided by the secular rulers, full freedom of religion was guaranteed, and the old diocesan boundaries were to remain in spite of the new political divisions until such time as the Emperor should have concluded a new arrangement with the Pope.

The success of Napoleon's scheme for wrecking the Empire was complete. The loss of the votes of the prince-bishops had been the mainstay of the supremacy of the House of Hapsburg in the German Confederacy, and once these had been suppressed the Emperor could not rely on the other princes. These were so indebted to Napoleon for what he had done for them that they were prepared to carry out his commands. Naturally he was anxious to secure the establishment of a power beyond the Rhine which would assist him in his wars against Austria, and, if need be, against Prussia. It is painful to relate that he found a number of the German princes ready and anxious to assist him. In 1806, the Kings of Bavaria and Würtemberg, the Elector of Baden, the Prince-Bishop of Regensburg, and the representatives of several smaller States came together, and formed what is known as the Confederation of the Rhine. They declared their States separated from the Empire, placed themselves under the protectorship of Napoleon, and agreed to aid him in his wars with an army of 63,000 men. This was the death blow to the Holy Roman Empire. The articles of agreement were signed in Paris, in July, 1806, and in August the ambassador of France announced to the Diet at Regensburg that Napoleon had recognized the Confederation. Francis II did not wait for the command to abdicate. He published immediately a declaration dissolving the Empire, and releasing the States from their allegiance. He gave up all claim to imperial responsibility and withdrew to his hereditary dominions, contenting himself with the title of Emperor of Austria, which he had

assumed a few years before. Thus once again, as in the days of Richelieu, Catholic France had lent her assistance to break the power of the Catholic princes in favour of the Protestant States.

The decree for secularisation had hardly been passed when the States began the work of expropriating the monasteries, convents, and ecclesiastical corporations. Strange to say Bavaria was the most unjust in its carrying out of the decree. The explanation, however, is obvious, if it be remembered that Bavaria was at that time under the influence of the party of 'enlightenment.' The higher classes and the Government were Catholic in name, but were as hostile to the Church, and even more so, than the governors of the Protestant States. The Prime Minister of Bavaria at this time was Montgelas, who had long broken with the religion of his childhood. By his orders the monks were seized and transferred to a few central houses of their Orders with a miserable pension for their support; their monasteries, their possessions, the church furniture and plate were sold to the highest bidders, who were not uncommonly Jews; and so great was the greed of the officials engaged in the work of expropriation that not even the tombs of the dead princes of the House of Wittelsbach were spared from desecration. Over four hundred monasteries were overthrown in Bavaria alone, and about two million pounds' worth of property disposed of by the Government.

Similar scenes were witnessed in Prussia, Baden, Württemberg, and the smaller States of Germany. Prussia was, indeed, more generous than Bavaria for Prussia did not suppress the convents of the Sisters devoted to the care of the sick. Austria contented itself with taking possession of the territory of the prince-bishops, and left the private property of the religious houses and foundations practically untouched. Thus the very rulers who had been the first to raise the cry against the wild excesses of the French Revolution, proved themselves more unjust and tyrannical towards the Catholic Church than ever the French Government had been, except, perhaps, during the wild days of

the reign of Terror. The immense wealth of the ecclesiastical institutions, the money that had gone to the support of religion and education, were now devoted in great measure by the Protestant States of Prussia, Baden, Würtemberg, Hesse, etc., to the payment of Government debts. The Catholic institutions either disappeared or were secularised, and when later in the century better days came, the energy of the Catholics was required to build up again what had been destroyed in the opening years of the century.

The secularisation policy had another pernicious effect. It almost completely destroyed the ecclesiastical organization of the States. By the decree of 1803, liberty of worship was guaranteed throughout Germany, but such a guarantee of liberty did not prevent the princes of the different States from enslaving the Catholic Church. The ecclesiastical jurisdiction was subjected to the control of the civil power, and the Lutheran States, like Prussia, Baden, and Würtemberg, that had been accustomed to direct the spiritual as well as the temporal affairs of the Lutheran sect, insisted on pursuing the same policy with the Catholic Church. In Bavaria, where Febronianism and Josephism were the received doctrines of the higher circles of society, the Government insisted on arranging the ecclesiastical affairs e.g., prescribing fasts, prayers, processions, etc.

In Baden, Nassau, Hesse-Darmstadt, and Würtemberg, the bishops were forbidden to undertake even the ordinary duties of their office, without having secured permission from the civil authorities. In Prussia it was accepted as a fundamental principle of the Constitution that the king was the source of ecclesiastical as well as civil jurisdiction, and that the ecclesiastical superiors exercised their powers only with the king's permission. Hence it was claimed in Prussia that the king had the right to determine the number of holidays to be observed, to allow ecclesiastical assemblies, and confirm their decrees, to erect new parishes, to appoint bishops, and to examine Papal documents before permitting their publication. In 1815 Prussia went so far as to place the Catholic religious affairs under the control of the Lutheran Consistory, but the outburst against this measure



was so great that the decree had to be withdrawn. In 1817 the same Government issued an instruction to its provincial officials warning them to keep a close watch over Papal documents sent into Prussian territory, to find out if any of the ecclesiastics appointed by the Government had sought for and obtained confirmation of their appointment from any foreign authority, to inquire into dispensations in matrimonial cases, and to watch over the examination of candidates for the priesthood. From these edicts it can be seen that the secularisation policy meant more for the Catholic Church in Germany than the mere loss of her temporal possessions. It meant the destruction of what was ten times more valuable, her independence and her liberty.

The result of this subjection to the civil princes was a complete disorganization of the Catholic Church. In the decree of 1803, it had been provided that the old division of the dioceses should remain till another had been arranged between the Pope and the Emperor. The bishops who had been deprived of their temporal States were to continue to exercise spiritual jurisdiction over their old territories, but as these were divided between different rulers, the rulers made it almost impossible for them to exercise any control; and when the old bishops died no successors could be appointed, as the dioceses or the method of appointment had not been settled; and, as a consequence, the districts were administered by Vicars, selected by the chapters. Prince-Bishop Dalberg of Regensburg, who exercised a general supervision over the Rhine districts, was rather an obstacle than an assistance. He was in his heart a convinced follower of Febronius, and the great dream of his life was to see a German National Church established, practically independent of Rome, and under the jurisdiction of a Patriarch or Metropolitan. Needless to say, according to his views, he himself was the only possible candidate for such an office.

He was ably seconded in his scheme of a National Church by Von Wessenberg, the Vicar appointed by him in Constance. The latter was noted for his attachment

to Febronian doctrine and Josephist reforms. He introduced changes in the Liturgy, ordered the suppression of the Latin Missals, and the use of the German language in all liturgical services. These reforms were opposed by a large body of the priests and by the people, and so great was the disturbance evoked by them that the Government of Würtemberg was obliged to forbid such novelties. In spite of all this, Dalberg appointed Von Wessenberg his coadjutor, and though the Holy See refused to recognize him, his appointment was supported by the Grand Duke of Baden.

At the Congress of Vienna (1814-15) the political reorganization of Germany was carefully arranged. At the same time it was necessary to take some measure to settle the ecclesiastical affairs of the Confederation. Many of the bishoprics were vacant, the Church property had been seized, the cathedral chapters almost extinct, the seminaries suppressed or dying, and the ecclesiastical authority in the hands of the civil rulers. Cardinal Consalvi, the Papal representative at the Congress, demanded the restoration of the territories of the prince-bishops and abbots as well as the restitution of the ecclesiastical property that had been secularised. From the nature of things it was unlikely that the lay princes would consent to any such restitution, and Consalvi had to content himself with lodging a solemn protest against the decision. Many people suspected that Consalvi was not sorry to see an end put to the powers of the prince-bishops in Germany; and though there is no sufficient evidence to justify this suspicion, still it is not unlikely that Consalvi thought, what most people think, that if other means had been taken for the independent support of the religious institutions, the disappearance of the prince-bishops would not have been a serious calamity. As a rule they were more of the prince than of the bishop.

Von Wessenberg, the representative of Dalberg, strove hard at the same Congress to secure the foundation of a German National Church with a national primate, who should govern it without reference to the Pope. This was

the old position of Febronius and of the Assembly of Ems, and still found many sympathetic supporters in Germany. After long discussion, an article was inserted in the Constitution guaranteeing the great religious parties equal constitutional rights, but the next article proposed, dealing with the organization of the Catholic Church, was omitted, owing principally to the opposition of Bavaria. Whether Cardinal Consalvi urged the Bavarian representative to resist the insertion of the clause is not clear, but at any rate it is certain, that its adoption could have done no good and might possibly have been used by the Febronian party to effect much harm. Von Wessenberg, who had been elected Vicar-Capitular by the Chapter of Constance, in 1817, undertook a journey to Rome to rouse public opinion on the question of a National Church. He knew well that the Pope would never confirm his appointment, but he thought that he could use this refusal as a weapon for stimulating opposition to the Holy See in Germany. The Pope refused to confirm the election, as Von Wessenberg expected, but the people and princes of Germany remained indifferent. Von Wessenberg returned, and visited the Diet at Frankfurt, in the hope of securing the approval of the Diet for his schemes; but the Diet refused to take any joint action, and it was left to the individual States to negotiate separate concordats with the Holy See.

The secularisation policy, as we have seen, robbed the Catholics of immense territories and transferred these to the Protestant States; it destroyed the Catholic preponderance in the Diet, overthrew the supremacy of Austria in the Germanic Confederation, led to the downfall of the Empire, and the subjection of the Church to the whim of every little Government in Germany. In addition to all this, the change produced in education by the same policy was disastrous for the Catholic interests.

The universities, lyceums, secondary colleges, and primary schools in the Catholic provinces had been maintained to a large extent out of the revenues of the Catholic Church. When these revenues disappeared, and when the institutions dependent upon them came under



the control of the State, most of the old Catholic foundations lost their religious character, and were either secularised or thrown open to teachers and students of all denominations. The primary schools retained their denominational character except in Nassau, but the control of the teachers, and even the supervision of the religious teaching in such establishments, were vested in the hands of the civil authorities. In Baden the training colleges erected for the education of the primary teachers were independent of the bishops, who had no voice even in the religious education. The Government drew up the programme of religious instruction, appointed the teachers, taking care always to select only Catholics whose orthodoxy was justly open to suspicion, and the examinations on religious subjects were carried out by the State inspectors.

The secondary colleges that had been completely Catholic in their character, were thrown open in Prussia, Baden, Württemberg, Hesse, and the other Protestant States to Catholic and Protestant alike. The professors were appointed without reference to religion, and even the religious instruction imparted was under the control, not of the ecclesiastical, but of the civil authorities.

But perhaps the most serious injury inflicted on the Catholic Church was the attitude taken up by the Governments in regard to the universities. Before the French Revolution eighteen of the German universities were exclusively Catholic, but with the confiscation of the ecclesiastical revenues the universities lost their religious character, and though nominally undenominational, they were in reality packed with Protestant or 'enlightened' professors. Würzburg was secularised, and the anti-Christian, Professor Paulus, appointed as Professor of Theology. As there were no students of Protestant Theology attending the University, the Government insisted that the Catholic clerical students should be obliged to attend his course. The old University of Innsbruck met a similar fate. Ingolstadt, renowned as the University of Eck, was transferred to Landshut, and was staffed with Protestant and 'enlightened' professors. The ecclesiastical seminary was

also brought to Landshut, and received as its rector a man who was a notorious opponent of Catholic Theology.

The Catholic University of Breslau was combined with the Protestant University of Frankfurt, to form an undenominational institution; and the Lyceum of Braunsberg was entirely suppressed, but was restored later on at the urgent request of the Bishop of Ermeland. An effort was made to decatholicize the University of Münster, in Westphalia, by the appointment of a Professor of Protestant Theology, where there were no Protestant students. The plan failed, owing to the sturdy opposition of the clergy and laity of Westphalia, but in revenge the University charter was revoked, and till recent times Münster remained only an academy with the two Faculties of Theology and Arts. The University of Cologne had gone down during the wars of the French Revolution, and the Government took no measures for its revival, while, on the other hand, Bonn, which had been erected by one of the prince-bishops as a rival to Cologne, was stripped of its Catholic character, and became an undenominational institution. As a rule, in Prussia, as in Ireland, undenominational meant Protestant.

Freiburg in Baden had been ruined by the appointments of 'enlightened' professors during the days of the Austrian domination in Breisgau. When the city and district passed into the hands of the Protestant Government in Baden, the University was filled with Protestant or disloyal Catholic professors. The Faculty of Theology did not escape, and for years the evil repute of the Freiburg Theological Faculty is to be attributed to the fact that the professors were appointed principally for their opposition to the current views on Catholic Theology. The Theological Faculty at Heidelberg was suppressed, the University became undenominational, and in a short time the Catholics were cut out, and the institution became almost entirely Protestant.

The loss of the universities was a grievous blow to the Catholic Church in the German States. It meant the transference of the higher education to men hostile to the Catholic religion. The action of the Government was ably seconded by the 'enlightened' Catholic party, who in order to defeat

their ultramontane opponents, betrayed their trusts, and joined hands with the Protestant professors in excluding, as far as possible, orthodox Catholics from the teaching staff. Once the Protestants had secured the majority the rest of the history is easily explained. The nominations of the future professors rests with the university senate; and with a senate strongly Protestant, and with a Government ready to comply with their wishes, it was nearly impossible for a Catholic to secure a position. Besides, the loss of the Catholic property in the beginning of the century, the ruin of all their foundations, transferred the wealth of Germany to Protestant hands, and the number of young Catholic students able to support themselves during the weary years of the *privat dozentship* before a professorship is obtained, is comparatively small. The Catholics do indeed frequent the universities in large numbers, but they prepare themselves there for purely professional rather than academic careers.

The loss of the universities, and their passing under the control of the State, meant the ruin of the education of the clerical students. The governments undertook the control of the theological education, and whether in Catholic Bavaria or in Protestant Prussia the aim of the Governments, though for different reasons, was to corrupt the faith of the students. Bavaria and Austria were still to a great extent under the influence of the false enlightenment. They gloried in their title of Rationalist Catholics, but they should rather have been called Catholic Rationalists. Hence the danger of corruption in Bavaria was more insidious, though less apparent, than in Prussia, Baden, or Würtemberg. Bavaria claimed complete control over the seminaries and Theological Faculties. It appointed the professors and dismissed them, selected the regent of the seminaries, drew up the programme of studies and discipline, and superintended the examination preparatory to ordination. We have seen that the University of Ingolstadt was transferred to Landshut. The Georgianum Seminary was brought there also, and Matthew Fingerlos was appointed Rector. He was the most ardent disciple of the new learning in Bavaria, and had already become



notorius for his attacks on the Catholic Faith regarding Original Sin, the Divinity of Christ, the Redemption, and the efficacy of the Sacraments. For full eleven years, in spite of the protests of the bishop, he was maintained in his position, and allowed to corrupt the faith of the candidates for the priesthood. As the Government instructed him, he directed his efforts not to turn out pious, zealous, earnest, young priests, but, rather, capable State officials.

Bavaria applied the same policy to the University of Würzburg, though in a more violent form. A Protestant Faculty was established in what had been a purely Catholic university, and Paulus was invited to accept a chair. His works had been so notoriously anti-Christian in their tendencies that he had been condemned already by several of the Protestant Consistories. Yet in face of these facts, the Government insisted that in order to liberalise their education the Catholic theological students should attend his lectures. The bishop forbade them, but a few insubordinate students, urged on by outside influence, demanded permission to attend the course given by Professor Paulus; and when their request had been refused by the rector, they appealed to the civil authorities in Munich, and their request was granted. The Government took them under their protection, and prevented their expulsion from the seminary. At last the time came for ordination, and the bishop struck their names off the lists of those called to Holy Orders, and refused to impose hands upon them unless a complete and satisfactory submission were made; but the Government stepped in and ordered the bishop to proceed with their ordination. It was only on a personal appeal to King Maximilian that an end was put to such a scandalous contest. The officials, however, were determined to revenge their defeat, and to withdraw the seminary from the authority of the bishop. In 1804, they arranged a series of new regulations for the seminary regarding the method of appointing the superiors, the plan of studies, the discipline, the matriculation, and the expulsion of students. The character of the new ordinances can be judged from the fact that they suppressed morning meditation, spiritual reading, spiritual

conferences, etc., and that they prescribed that no student should be admitted or expelled, and no student's name struck from the list of those called to Orders without notifying the civil authorities. The bishop resolved to resist the introduction of such a regime even though the seminary should be entirely suppressed, but a conflict was avoided by the fact that Ferdinand of Tuscany undertook the government of the territory in 1806. He restored the Catholic character of the university, placed the control of the theological studies in the hands of the bishop, and dismissed the professors who had shown themselves hostile to the Catholic religion.

So long as Montgelas remained at the helm in Bavaria, it was impossible to arrive at any settlement. But in the year 1817, the same year in which Dalberg, the leader of the National Church party, was called to his reward, Montgelas was dismissed from office, and negotiations were opened up for the conclusion of a concordat. It was concluded in 1817, and went a good way in restoring to the bishops the control of the theological education of their clerical students.

Prussia, too, though a Protestant State, insisted on arranging the education of the Catholic clerical students. The ecclesiastical students of Prussia were forbidden to study at any college conducted by the Jesuits, and were especially warned against the famous *Collegium Germanicum* in Rome. Indeed, though this prohibition is no longer in force, yet in most parts of Germany at the present day a degree in Theology secured at Rome or at Innsbruck is not recognized by the civil authorities. An effort was made to force the Catholic theologians to attend the lectures of a Protestant Professor of Divinity in Münster, but the resistance was so striking that the effort had to be abandoned in despair. The Catholic Faculty in Bonn was practically independent of the Archbishop of Cologne, and the Government persisted in maintaining the Hermesian professors there, and in forcing the ecclesiastical students to attend their courses, although a prohibition had been issued against them by the ecclesiastical authorities.

In the Province of the Upper Rhine, the clergy were being educated at the Universities of Freiburg and Tübingen, and the Seminaries of Mayence and Fulda. It was determined to suppress these two latter institutions as being too orthodox in their teaching. In place of the Seminary at Fulda a Theological Faculty was to be erected at the Protestant University of Marburg, but the energetic protests of the bishop and of the municipal authorities of Fulda killed the project before steps could be taken to enforce it. The Government of Hesse clung, however, to its plan of reducing the influence of the seminary at Mayence by the erection of a Theological Faculty at Giessen, where the university and the population were almost entirely Protestant, and where there was not even a Catholic church, where the students might assist at religious worship. Though the Faculty of Theology had been erected in 1830, there was no Catholic church at Giessen till 1838, and during these years a Protestant chapel was placed at the disposal of the Catholic students. In these circumstances, and especially in view of the fact that some of the professors were strongly Hermesian or Josephist, it can hardly be wondered at that the Bishop and Chapter of Mayence were not friendly to the change, and insisted on a return to the seminary. The laity were especially determined in their attitude; and had they received the same lead as the Bishop of Fulda had given his flock, the scheme would never have been attempted.

The dismissal of one of the Theological Professors in 1841 roused the clergy of Mayence to petition the bishop to open the seminary at Mayence, while at the same time the theological students of Giessen sent a most pitiful appeal to the bishop, begging him to make some arrangements whereby they might escape the dangers to both faith and morals that surrounded them in Giessen. The Government, however, resisted all the demands, and it was not till years after that the Theological Faculty was suppressed and the seminary at Mayence again in full swing. The clerical students of Nassau were also obliged to attend at Giessen, but in 1834, owing to the persistent demands of the clergy of Limburg, the law was changed, and they were allowed to seek their education elsewhere.



In Baden the theologians were bound to make their studies at Freiburg. This university, which was supported to a large extent by Catholic endowments, had suffered dreadfully from the Josephist reforms. The professors appointed were nearly all tinged with the rationalistic spirit prevalent among the educated classes in Austria and Bavaria. The professors of the Theological Faculty and the lay professors were particularly determined in their efforts to secure the abolition of clerical celibacy.

The Professor of Ecclesiastical History, Reichlin-Meldegg, took occasion in his lectures to make open attacks on the dogmas of the Catholic Church, and even went so far as to deny the Divinity of Christ. The Archbishop of Freiburg drew the attention of the Government to this serious state of affairs, but the Government refused to interfere, and the Archbishop was too weak to take the necessary steps to put an end to such an intolerable scandal. It was only when the Professor publicly went over to Protestantism, that he was transferred from Freiburg to Heidelberg. Schreiber, the Professor of Moral Theology, both in his published works and in his lectures, denounced clerical celibacy as unnatural, unlawful, and immoral; while the lay Professor of Canon Law, Amann, adopted the same view, and devoted his energies to a denunciation of the usurpations of the Church and of the hierarchy. In spite of the protests of the Archbishop these men were allowed to hold their chairs, and to mould the character of the clerical students, the future priests of Baden.

In view, then, of the robbery of the Catholics of Germany in the early years of the century, and of the transference of their wealth in great measure to the Protestant States; and in view of the change introduced into the universities, and especially of the interference of the States in the education of the clerical students, the wonder is not that the Catholics of Germany are in any way inferior to their Protestant competitors, but rather, that in such a short period they should have recovered so quickly what appeared to be irretrievably lost.

JAMES MACCAFFREY.

## THE SHRINE OF ST. COLUMBANUS AT BOBBIO

IN publishing this final list of those who have contributed towards the restoration of the Sanctuary of St. Columbanus at Bobbio, I regard it not only as a great pleasure, but as a strict duty, to return my heartfelt thanks to the Bishops, clergy, and many of the laity, who have responded so generously to the appeal which I have made on behalf of this pious and patriotic object. I ventured to interfere in the matter because the need, which few of our countrymen have had an opportunity of witnessing, came under my immediate notice. Though I felt great delicacy and hesitation in putting myself forward as an advocate of the cause, I have never doubted that the object would elicit a generous and enthusiastic response, however slight might be the claims of the advocate. The result has amply justified my confidence. Though the appeal was made chiefly to Bishops and priests of Irish nationality and descent, many of the laity wished to have a share in the good work. Still, restricted as the appeal has been, such was the generosity of the contributors that the total sum received amounts to very close on £1,000.

This sum will suffice to provide a new altar worthy of the place, and a shrine in which the relics of the great Irish Saint can be preserved and exposed to the veneration of the faithful with becoming decency and reverence. I have requested the Bishop of Bobbio to procure plans from some competent architect for the altar and shrine. When the plans are prepared and approved of, the work can proceed at once. This will terminate my responsibility for the project. I trust, however, it will not terminate the interest of Irish Catholics, at home and abroad, in a sanctuary which recalls so vividly the hallowed and glorious memories of our past. Even after this little effort has been made towards the restoration of the sanctuary, much will still remain to be done; and I feel confident that when such a

work is to be done Irishmen will be found to do it. Some hints have reached me of a project which, should it materialize, might go far to complete the work to which the generous contributors have enabled me to set the first hand.

✠ MICHAEL CARD. LOGUE.

ARMAGH,

*November 20, 1908.*

THIRD LIST OF SUBSCRIPTIONS RECEIVED BY HIS EMINENCE  
CARDINAL LOGUE, TOWARDS THE RESTORATION OF THE  
ABOVE SHRINE.

	£	s.	d.
Very Rev. James Donnellan, D.D., Maynooth College	1	0	0
Mother Mary Bernard, Convent of Mercy, Sligo, for the Convents under her charge .. .. .	5	0	0
Very Rev. J. J. Ryan, President, The College, Thurles	1	0	0
Right Rev. Mgr. Carmody, P.P., V.G., Milltown, Co. Kerry .. .. .	1	10	0
Rev. John O'Callaghan, C.C., Rahan, Tullamore ..	1	0	0
Very Rev. P. Canon Duffy, P.P., Fintona, Co. Tyrone	1	0	0
Most Rev. Dr. Lyster, Bishop of Achonry ..	3	0	0
Convent of St. Louis, Middletown, Co. Armagh ..	1	0	0
Convent of Mercy, Bessbrook, Co. Armagh .. ..	1	0	0
Rev. Thaddeus Hogan, Rector, Church of the Sacred Heart, Trenton, New Jersey, U.S.A. .. ..	2	2	0
Mr. Joseph P. Kearney, Cooley, Co. Louth ..	0	10	0
Mr. Peter Connolly, Cooley, Co. Louth .. ..	0	10	0
Mr. Thomas Martin, Post Office, Carlingford, Co. Louth .. .. .	0	10	0
Mr. William Woods, Carlingford, Co. Louth .. ..	0	10	0
Rev. P. D. M'Caul, CALAIRT, NAOMH ADAMHAIN, LEITRICEADAINN, Co. Dún-na-nGall .. ..	0	10	0
Rev. Joseph Boyle, E.I., Letterkenny .. ..	0	10	0
Rev. W. Carrigan, D.D., C.C., Durrow, Queen's County	1	0	0
Rev. T. O'Sullivan, Harwick, Essex .. .. .	1	0	0
Rev. W. Harper, St. Peter's College, Wexford ..	0	10	0
Very Rev. Dean Flynn, P.P., V.G., Ballybricken, Waterford .. .. .	3	0	0
Very Rev. M. Canon Phelan, St. Mary's, Dundee ..	1	1	0
Rev. P. Shiel, P.P., Bree, Enniscorthy .. ..	1	0	0



			£	s.	d.
Very Rev. John Conway, P.P., V.F., Larne	..	..	2	2	0
Rev. James Maguire, P.P., Louth	..	..	1	0	0
Rev. Patrick Brady, C.C., Louth	..	..	0	10	0
Ó'n Coláirte n. Maolmádoóig, 'béal-feirirte:—					
An t-Acáirí Gearóio Ó Nualláin	..	..	0	10	0
„ „ Séamag Mac Ueanaááin	..	..	0	10	0
„ „ Domnall Ó Tuatail	..	..	0	10	0
„ „ Seagán Mac Eacáin	..	..	0	10	0
„ „ Domnall Mac Aoóáin	..	..	0	10	0
„ „ Seagán Mac Amhlaid	..	..	0	10	0
Right Rev. Carthage Delany, D.D., Lord Abbot, Mount Melleray Abbey	..	..	5	0	0
Rev. Patrick Ryan, C.C., Kilmeedy, Co. Limerick	..	..	0	10	0
Rev. Daniel Mallon, P.P., Rostrevor	..	..	1	0	0

# Notes and Queries

## THEOLOGY

### BREACH OF PROMISE FOR WITHDRAWAL FROM INFORMAL BETROTHALS

REV. DEAR SIR,—Two Catholics, A and B, make a mutual promise of future marriage without the formalities required by the decree *Ne Temere*. There was no fraud or deception or force of any kind employed by one of the parties towards the other ; with full knowledge of the meaning of their action, and with full freedom, they contract informal betrothals. After some time A changes his mind and deserts B. She brings an action for breach of promise against him in the civil courts, and gains damages. Is A bound in conscience to pay the damages ? Is B bound in conscience not to take the damages ?

NEO-PRESBYTER.

The question raised by 'Neo-Presbyter' refers to one point, and one point alone, in connexion with the breaking of an informal matrimonial engagement : Has the civil court a right to impose damages for the non-fulfilment of a matrimonial promise which has no binding force in conscience ? My correspondent, for the sake of clearness, has excluded all merely subsidiary and accidental circumstances, such as fraud, which can give a right to damages ; and in replying I shall follow his example, and speak only of the one point above mentioned. I take it as certain that informal betrothals between Catholics have no binding force in conscience ; that is the teaching of the best authorities and is pretty certain to be approved by the S. Congregation which will be called on to decide the question. Moreover, my correspondent takes it for granted that the civil courts will grant damages in a case such as he proposes for solution. It remains to be seen how far the courts will take into consideration the fact that Catholics do not consider themselves bound in conscience to fulfil

informal engagements; in the meantime I answer the question on the hypothesis assumed by my correspondent, that the courts will pay no attention to the plea of absence of obligation.

The contract of betrothals amongst Catholics is a sacred thing; it directly leads up to the sacramental contract of marriage, and as such assumes a sacred nature. The secular authority has, in consequence, no power to lay down conditions which will affect the validity in conscience of the mutual promise of future marriage; that power belongs to the Church alone, just as the Church alone has power over the matrimonial contract itself. The State has power over the civil effects of both espousals and marriage; hence the State can deal with questions of dowry, and also with questions of damages for the violation of true contracts of betrothals or marriage. As a consequence, the State can justly impose damages if a true binding promise of marriage has been broken; but it cannot justly impose damages for the violation of a contract which does not exist; any attempt to do so would be a violation of the natural rights of the victimised party. It follows that, in the case stated, A is not bound to pay the damages imposed on him by the civil courts which acts *ultra vires*; and B is not at liberty to accept any damages which she gains by the action of an usurping authority.

This conclusion is merely a particular application of the general principles which theologians apply to damages gained through the civil courts for the breaking of a matrimonial engagement when there are sufficient reasons in conscience for withdrawal. Thus, in his *Casus Conscientiae*, vol. ii., p. 483, n. 839, R. 2, Lehmkuhl discusses a case in which there are just reasons in conscience for a withdrawal from betrothals already contracted. If the civil tribunal, notwithstanding those reasons, looks on the engagement as binding and imposes damages for its non-fulfilment, there is no obligation in conscience to pay the damages, and there is a right in conscience to make occult compensation when the damages have been paid in accordance with the decision of the court.



Finally, it must be remembered that the formalities of writing are required for validity only in case of Catholic and mixed betrothals; no such formalities are necessary for the validity of matrimonial engagements entered into between parties of whom both are non-Catholics. Hence in the case of these the State has a right to impose damages for the unjust violation of the informal engagement.

#### CHURCHING A NON-CATHOLIC

REV. DEAR SIR,—Is it lawful to church a Protestant after childbirth? Some English priests, I have been told, perform the ceremony when the person—whose husband is a Catholic and whose children are baptized Catholics—makes the request. The reason that is given is, there is every hope of the woman becoming a Catholic, and the refusal of the request might prevent her from joining the Catholic Church. Is there any *communicatio in divinis*?

C.C.

The sacramentals of the Church are intended for the members of the Church alone, and, consequently, the *Benedictio post partum*, which is one of these sacramentals, may not be given to any people who are outside the visible society of the Church.

Moreover, those who do not belong to the Church, *cannot* gain the special fruits which spring from the prayers of the Church. The Church prays in her official rites only for those who have Church membership. Hence, non-Catholics are altogether excluded from the Ecclesiastical benefits of such rites as the *Benedictio post partum*.

Although a priest may not and cannot give to non-Catholics the ecclesiastical benefits of the blessing, in reciting the blessing over non-Catholics there is no *communicatio in divinis* which would entail association with false worship and the penalties attached thereto.

#### ABSOLUTION OF A DYING SINNER

REV. DEAR SIR,—Will you kindly say if the statement be theologically correct: 'The Church allows her priests to absolve conditionally one who dies in the very act of sin, for at last he

may have turned to God'? A man cannot be sinning and repenting at the same time. If a man die in the act of sin where does the sorrow or repentance necessary even for conditional absolution come in? I cannot find any warrant in theology for conditional absolution in the case. A solution of the difficulty will much oblige.

PUZZLED.

If we were to take the words quoted in their strict sense there would be no justification for the opinion to which they give expression, since a man who dies in the act of grave formal sin cannot be reconciled to Almighty God. I take it, however, that the words were not intended in their strict sense; that they refer rather to a person who becomes insensible in the very act of committing sin. In this sense, there is sufficient justification for the statement, since St. Liguori (n. 483) holds that absolution can be conditionally given in the case on the ground that, at the last moment, a person who lived a Christian life might reasonably be presumed to have turned to God. Many theologians, however, refuse to accept theoretically the teaching of St. Liguori on this point. It is not enough, they maintain, that there be a mere presumption or possibility of final conversion; there must be some positive signs either that the sin was not formal or that due penance has been performed even at the last moment.

While this latter opinion seems speculatively correct, in practice we cannot deny safe probability to the former view, considering the great authority of St. Liguori and the official examination to which his works were subjected. This holds at present even of persons who have apparently died since medical experts say that a person is not really dead for some time after apparent death has occurred.<sup>1</sup> During the period of latent life there is some chance that a person who led a Christian life might turn to God and repent of the sins committed during his moments of weakness, so that the hope of conversion is somewhat greater than it was thought to be when St. Liguori wrote. Of course the best way to provide for the chance of con-

<sup>1</sup> Cf. I. E. RECORD, July, 1906.

version is by means of Extreme Unction, to be conferred absolutely while it is certain that life is not extinct, and conditionally so long as there is reasonable hope of latent life. Experts state that at least in the case of sudden deaths from such diseases as heart failure, putrefaction is the only certain sign of real death

**PERMISSION TO RECEIVE A STIPENDIUM FOR A SECOND MASS**

REV. DEAR SIR,—Will you kindly give your opinion on the following points. In the Maynooth Statutes, page 68, n. III, it is stated that Irish Bishops can permit priests to accept the usual honorarium for a second Mass, *justa et gravi causa intercedente*. In a diocese with which I am acquainted, the late Bishop gave this permission.

(a) Must the condition *causa justa et gravi* be verified in each case, or may it be presumed that the Bishop in giving the permission was satisfied as to the sufficiency of cause, in view of the circumstances of the country or diocese, and without reference to each particular case?

(b) If priests acted in good faith in the past, I take it that their obligations were discharged.

(c) In some associations of which the priest may be a member, such as the 'Apostolic Union' or the 'Association of Priest-Adorers,' there is a rule requiring the celebration of a yearly Mass. Can such an obligation as this, at least, be discharged by the second Mass, and even though it be considered an obligation in justice?

(d) Does the permission require to be renewed after the Bishop's death, by his successor?

SACERDOS.

As stated in the Statutes of Maynooth, p. 68, n. III, the privilege has been extended to Ireland, which is granted by the Holy See to Bishops of some missionary countries, and in virtue of which they can permit their priests to take a honorarium for the second Mass on Sundays and Holidays when a just and grave cause intervenes. In regard to the nature of the justifying cause, there is no limitation imposed by the Holy See beyond what is contained in the statement that it must be 'just and grave.' Hence the poverty of priests is not the only consideration which must be taken



into account ; nor is it necessary that the concession be granted only to individuals ; general permission, when there is a just and grave cause, is within the ambit of episcopal power. In interpreting the extent of this general permission the same rules hold which rule similar general concessions.

(a) When a Bishop grants his priests general permission to take a stipendium for the second Mass, the cause need not be verified in the case of each individual priest. So long as there is a just and grave cause for priests generally, so long will the concession be of force. Nor is it necessary for priests to make an examination into the general state of the diocese ; that is the office of the Bishop, and priests are safe in following his decision.

(b) The teaching is sufficiently probable that when the law prohibiting the celebration of a second Mass for a honorarium is either *bona fide* or *mala fide* violated, the obligation of justice attached to the acceptance of the honorarium is fulfilled, so that no obligation of restitution remains.

(c) In recent times it has been frequently decided by the S. Congregation of the Council, v.g., September 14, 1878, March 5, 1887, that an obligation such as that undertaken by members of associations like the 'Apostolic Union,' and the 'Association of Priest-Adorers' can be fulfilled by the celebration of a second Mass on Sunday. Formerly the S. Congregation gave a hesitating answer, and conceded permission *ad cautelam*, but the more recent decisions state absolutely that the obligation can be fulfilled by the second Mass, without any special concession. This would probably hold even if we were to consider the obligation in question an obligation of justice arising from a quasi-contract. Many<sup>1</sup> maintains that unless there is a stipendium, or a quasi-stipendium as in the case of parish priests offering Mass *pro populo*, the obligation, even though it be one of justice arising from a quasi-contract, can be lawfully fulfilled by the second Mass on Sundays. His teaching is

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<sup>1</sup> *De Missa*, p. 120.

based on the principle that prohibitive laws must be strictly interpreted, and the laws in question speak only of a stipendium or of a quasi-stipendium. This view seems to be probable.

(d) The general permission, once granted indefinitely, does not cease with the death of the Bishop ; it is a favour already granted, and, in consequence, it does not cease unless it is withdrawn by the new Bishop.

#### ROMAN TRIBUNALS AND MATRIMONIAL DISPENSATIONS

REV. DEAR SIR,—Will you kindly state from what Roman Congregations people in this country must in future seek dispensations from matrimonial impediments ?

S.

As is clearly laid down in the new Constitution which came into force on November 3, 1908, there are three Congregations or Tribunals which deal with Matrimonial dispensations in countries such as Ireland which do not come under the supervision of the Propaganda. They are the Holy Office, the Congregation of the Discipline of the Sacraments, and the Sacred Penitentiary.

The Holy Office grants matrimonial dispensations from the impediments of mixed religion and disparity of worship. These, having an intimate connexion with faith, naturally come under the authority of the Congregation which deals with affairs which concern faith. Questions about the Pauline privilege are under this same Congregation.

The Congregation of the Discipline of the Sacraments has control over all public impediments, except mixed religion and disparity of worship. Formerly the S. Penitentiary had power over public impediments in case of the canonical poor, but in future both rich and poor must apply for dispensations in public impediments, except mixed religion and disparity of worship, to the Sacred Congregation of the Discipline of the Sacraments.

The Sacred Penitentiary in future has power only in regard to the *forum internum*, for which it will grant dispensations from occult impediments. This Tribunal will

retain in future all the authority which it formerly had over occult impediments, but it has lost all power in regard to public impediments from which a dispensation is sought for the *forum externum*.

Of course Bishops retain the powers of dispensing which they obtained from custom, from the decree of the Inquisition of 1888, and from the Formula Sexta and its extensions.

J. M. HARTY.

## CANON LAW

### THE RACING LAW—A REJOINDER

REV. DEAR SIR,—I am deeply grateful for the very able and exhaustive exposition of the racing law which the queries submitted in a former issue of the I. E. RECORD have been the means of eliciting. Even those—and the querist is not quite amongst them—who are inclined, as your learned correspondent assumes, to credit him with strict views on the matter, cannot fail to admire the cogency of his reasoning, and the fearlessness with which he draws conclusions so much opposed to liberties hitherto claimed. Having said so much, I hope the distinguished Canonist will not credit me with seeking to cavil, when I draw his attention to certain points raised in my letter which, perhaps, from an imperfect presentation of them on my part, have not been so satisfactorily dealt with as I could wish. I freely recognize that the law *per se* whether as found in the older or the newer Statutes, allows no exemption either of persons or circumstances, and that, at best, these may be put forward as reasons for claiming a relaxation of its rigour, by an explicit permission, or as determining the limits of what I conceived to be a well-established custom. My main concern has been with this custom, and I have been anxious to know, if once well-established, it may still be availed of, notwithstanding the re-enactment of the law, with all the additional circumstances that surround it, circumstances which, however, do not appear to affect the particular matter at issue. On this point your correspondent writes:—

‘The second reason that the practice with which we are concerned at present has already reached the stage of a well-established custom does not afford a more convincing argument in favour of its continuance. A custom does not become a



legal practice, and does not confer any legal right, unless it be reasonable and introduced, at least, with the legal consent of the superior. Now, it does not seem to be a reasonable practice not to get the permission of the superior to assist at races, whilst there is no reason for neglecting to ask for it, and it is so easy to obtain it. Nor was that practice reasonable as founded on the presumed consent of the superior, because the legislators who were well aware of that custom, by repeating the prohibition in the new Statutes in the same absolute manner as in the old ones, clearly showed that they repudiate all abusive practices which introduced exceptions to their law and that, therefore, such practices are not in conformity with their intention, and must be abandoned.'

Now, it appears to me, that the custom for which I ventured an humble plea in my former letter, scarcely deserves the strictures to which your distinguished correspondent has subjected it. It may be that I did not make myself sufficiently intelligible, but if he will revert to my letter, he will, I think, find that the custom in question did not completely lack the authoritative seal—call it legal or interpretative consent, or what you will—of the local superior. The words of the letter are these: 'At the time the custom of acting without reference to the Ordinary was fairly universal in the places referred to, and as priests of *timoratae conscientiae* saw no difficulty in availing of it, it is reasonable to infer that such a custom had its origin in a permission given by the Ordinary, at first, perhaps, in a particular case, but given in such a way and in view of all the circumstances surrounding the race-course, that it came to be regarded as of universal application, and as partaking more of the nature of an interpretation of the law, than of a relaxation of its rigour in a particular case.'

On consideration, I feel that I have certainly not overstated the question of fact as regards the origin of the custom, and if I added, as I might have added, that it was freely availed of by priests of *timoratae conscientiae* and this *coram facie ecclesiae*, I think I may claim that its reasonableness under this head is sufficiently accounted for. Neither to my way of thinking, does the failure to ask a permission which could be so easily obtained make the custom unreasonable. I can well understand that in the beginning such would be a fair inference, but when the custom had got, so to speak, a good start with a sanction such as I have described, I would rather infer, that the failure to make application pointed to the *bona fides* of those concerned and to their settled convictions that such an application would be a work of supererogation.

Towards the close of his highly interesting paper your distinguished correspondent states his views still more explicitly on the present bearing of the alleged custom. He writes: 'That if there was some doubt in the past whether such permission were needed in the past on account of the prevailing custom, its necessity is now made clear by the repetition of the prohibition in the same absolute manner as before, thus abolishing any custom which introduced relaxations and exceptions.' I am afraid that many like myself who read merely on the surface, and who have neither leisure nor abilities to measure the force of canonical phraseology, will be somewhat startled to read that because 'the prohibition is repeated in the same absolute terms as before, it therefore abolishes any custom or relaxation.' There is nothing—no new force—one would say, in the *Prorsus abstineant* of the newer Statutes, which is not contained in the identically same words *Prorsus abstineant* of the older ones, and if notwithstanding the absolute character of these, a well-established custom in favour of liberty be introduced, why is it to be said, that in their new form, without either note or comment, the custom must forthwith cease? I could well understand the legislators—aware, as some of them must have been, of the custom alluded to—affixing a mark of reprobation—*non obstante consuetudine in contrarium*, or something of the kind—but in the absence of any such phrase, ordinary readers will find it hard to see in the words a destruction of liberties hitherto enjoyed—liberties which made both for their own enjoyment and for the safe-guarding of their people.

If I mistake not, the view here submitted gathers no small amount of accidental confirmation from the presence of the now well-known clause found in the newer Statutes: *Et ab iis e loco quoris vicino spectandis*. It was manifestly the purpose of the legislators in adopting these words, to put an end to the fairly common custom of attending at races, not indeed on the race-course, but in a place sufficiently near to see and enjoy what took place. I freely admit that this was a custom much more common—and necessarily so, assuming its existence at all—than the one for which a plea has been made, but the curious will nevertheless ask, why the one is to be set aside, by the mere re-enactment of the law, without either note or comment, whilst the other receives its death sentence in well-defined words.

This letter has already dragged its weary length, and I feel that I owe you an apology as well as thanks in anticipation for insertion in your paper.

Before replying to the above interesting letter, we beg to be permitted to make a preliminary statement. As polemics is altogether out of the scope of our canonical notes, and inconsistent with the space allotted to us in this journal, we have made it a rule not to engage in controversies of any kind whatever. If questions are submitted to our consideration we will be content with stating the positive law of the Church, if such it be, or with giving expression to our opinion in controverted matters, supported by such and so many reasons as we deem best adapted to corroborate our contention. Naturally, our readers may occasionally hold, in these debatable points, views divergent from ours, and they may reasonably keep them if ours are found shallow-grounded and less convincing ; but they would in vain wait for a reply to every objection raised against our opinions in the nature of a controversy. They will not take it, we hope, as a want of civility on our part if we say that to a correspondence of that sort silence will be our reply.

However, all general rules have their exceptions, and we willingly make one on this occasion, struck as we were by the able argumentation of our opponent, and agreeably pleased at the keen interest he takes in canonical matters generally, and in this question in particular. And we may remark in passing that it is really gratifying to see the clergy throughout the country awakened to the necessity of a careful study of this branch of ecclesiastical learning ; at the present juncture, especially, when the Holy Father has been pleased to free Ireland from the exceptional regime of missionary countries and subject it to the common law, thus bringing it, in that respect, into line with the rest of the Catholic world.

Now, turning to the observations made by our correspondent on the answer we gave to his question in the October number of the I. E. RECORD, it is quite evident that he is particularly anxious to uphold the lawfulness of the practice of assisting at races in favour of priests who want to be in a position of lending their services to those who might require them during the sport. On the contrary, we



wrote that its reasonableness and, therefore, its lawfulness, does not seem sufficiently warranted, on the ground that there was no motive for not asking or for discontinuing to ask the permission of the superior to assist at races, a permission which was so easy to ask for, and easier still to obtain. We added, moreover, that the practice in question was not founded in the presumptive consent of the superiors, because they well knew of it, and made several alterations in other laws where they wished to make them, as in the hunting law, and yet, in this case, instead of mentioning such an exception in favour of the aforesaid priests, when enacting the new statutes, they re-enacted the old law in its original and absolute form ; this being an indication that they wanted the observance of this law in its former integrity, and repudiated the relaxation made by practice. This last argument, which seems fairly conclusive, and which alone would have accounted for our contention of the unreasonableness of the practice, seemed, perhaps, to our opponent, a little inconvenient to deal with, and he prudently preferred to pass over it in silence. He only resents our statement that there was no reason to account for the lawfulness of such a practice ; whereas he tells us that the reason has been already assigned by him in the exposition of his case, and invites us to revert to it and read it, lest it should have escaped our attention.

However, we beg to inform our distinguished correspondent that not only did we repeatedly read the reason he assigned and which he is afraid we overlooked, but we pondered over it at length, and unfortunately we found it not sufficiently convincing in support of the reasonableness and lawfulness of the practice of not asking, or of discontinuing to ask the permission of the superior in order to assist at races. He writes, in fact, that such a custom had its origin in a permission given by the Ordinary, at first, perhaps, in a particular case ; but given in such a way and in view of all the circumstances surrounding the race-course, that it came to be regarded as of universal application and as partaking more of the nature of an interpretation of the law, than of a relaxation of its rigour

in a particular case. To us the explanation does not seem either reasonable or probable. First of all, this practice cannot trace its origin to any permission given by the superior, for the simple reason that priests never asked for it from the very beginning. If they were really convinced that no law can contemplate the absence from the races of the priest of the locality where they take place, when he attends on the race-course for the particular motive of coming to the assistance of his people in case of need and that, therefore, the racing law was not made for him, how could they ask for a permission which they believed to be perfectly unnecessary and quite useless; taking especially into consideration that priests never approach their Bishop when they believe they can do anything without his permission? And again, if ecclesiastics who went to see races from the vicinity, and for mere enjoyment, never asked for the Bishop's license, *a fortiori*, never did those who were persuaded that they had plenty of reason and an obligation to go to races even without reference to the Ordinary.

But, granted for the moment, and for the sake of argument, that priests began the practice we are concerned with by asking the Ordinary's permission, we say that such a permission never came to be regarded as of universal application and as an interpretation of the law made by the superior himself, thus implicitly and in advance approving of this practice. The persuasion that the permission of the superior in particular cases became afterwards of general application does not, in the first place, seem to be reconcilable with the action of those ecclesiastics who, in spite of that conviction, continued to ask for the leave of the superior; and it is not serious to assert that they did so only to perform an act of supererogation. Who can in reason believe that priests, even of the most scrupulous type, convinced that the original express permission of the superior in particular instances became of general application, and that, therefore, they do not want it, go and trouble their Bishop without necessity, in order to perform an act of supererogation? And where is the Bishop so complacent as to allow himself to be pestered in such a manner in

order to afford his priests a golden opportunity of performing acts of supererogation? Nor is that persuasion, in the second place, even compatible with the action of those clerics who never asked or ceased to ask for a permission to assist at races. If they seriously believed they had the implicit permission of the superior to assist at races, why did they keep at the same respectable distance as those who went to see them for mere enjoyment and who were perfectly positive that they had neither explicit nor implicit permission of the superior as to a relaxation of the racing law, and who went to the vicinity of races, not exactly with the intention of making use of a dispensation from the law, but only for the purpose of evading it in their false impression that to see races from such a distance was not forbidden by the law?

It may be urged, we know, that the belief of those priests regarding the necessity of the superior's permission and its subsequent universal application, extended only to the assistance at races from the vicinity; but we may remark that such a belief is not consistent with the quality of the motive for which they assisted at races, a motive which does not admit of that stricture, as it is also not well in keeping with the general prevailing opinion that vicinity did not come within the bounds of the prohibitive law. But, even granted that such was the case, the addition to the new statutes of the phrase *et ab eis*, etc., given in a general and absolute form without any exception, has, at least indirectly, by expressing the intention of the superiors contained in the absolute terms of that clause, disposed of all practices of assisting at races from the vicinity, and for all classes of clerics or sorts of motives. In conclusion, it appears to us, that if all that has been hitherto expounded is not compatible with the conviction that such a practice was of legitimate origin, it is also not well in accordance with the *bona fides* claimed for those who made use of it; and accounts, consequently, for the unreasonableness of not asking or of discontinuing to ask the permission of the superior, which was so easy to ask and easier still to obtain.

We pass now to the second part of our correspondent's



letter, and make a few reflections on the objection therein raised; although we could leave it unanswered, believing that our last argument, showing the invalidity of the reason alleged in support of the reasonableness of the practice in question, coupled with the other about the want of the legislators' consent to any customary relaxation of their law—a want of consent, which for the assistance at races on the race-course and for any person and motive is implicitly manifested by their insisting on the observance of the law in its original integrity, and which for the assistance at them from the vicinity and for any ecclesiastic or cause is expressly indicated in the new addition to the racing law—would afford an ample proof for the discontinuing of a practice which never reached the stage of a legal custom.

In his second argument, our correspondent deals not so much with the lawfulness of the practice in question as with its abolition. He assumes for certain, first, that such a practice became legitimate in order to object to the theory that the said custom was abolished by the repetition of the subsequent prohibitive law, enacted in the same absolute terms as before, believing that this is the doctrine advocated in some words we wrote towards the close of our previous article. Now we are afraid we were in that passage somewhat misunderstood, and we do not accept exactly the interpretation put on our words. We are credited, for instance, with admitting the lawfulness of the practice which was subsequently abrogated; whereas, in that paragraph quoted in full by our correspondent, we only wanted to repeat what we stated in the early portion of that article where we concluded against the lawful introduction of the practice in question. We wanted to say that on account of that common practice it might have been doubtful whether the superior ever gave his consent to it, and, therefore, whether the superior's permission to assist at races was necessary, and that now it seems clear that the superior never approved of it, and that the presumption of the lawfulness of the practice founded on the superior's consent was erroneous, as is manifested by the fact that,

knowing of that relaxation of his law, he approved of and expressly sanctioned other relaxations and modifications made to the old statutes, and said nothing of this customary exception made to the racing law, a law which he repeated in its original strict and absolute form, in order to declare his intention of wishing it to be maintained in the same form as it was previously enacted. 'Superior quod voluit dixit, quod noluit tacuit.' It may be that our exposition lacked precision and lucidity, that our words were unhappily chosen to express our main idea, and that, perhaps, we might have used the word 'repudiates' instead of 'abolishes;' but our correspondent could easily comprehend the drift of our words on reflection that they were only a conclusion from what we previously expounded and that we could have not concluded to the lawfulness of a practice which we never admitted as such, without disregarding the rules of logic, and that, moreover, there would have been no reason for stating that it was doubtful whether the superior's permission to go to races was necessary, once we admitted of the lawfulness of the practice which supposes the superior's consent and permission.

But let our words mean what they seem at first sight to imply, and leave on them the interpretation made by our correspondent, is it really a startling doctrine, a doctrine which surpasses the comprehension even of the uninitiated, that a law may admit the introduction of a custom against it, and that a subsequent general law abrogates a contrary custom prevailing before its enactment? Then it would be more marvellous still to hear that the same prohibitive law may both abolish past customs against it, and, without alteration in its force or any clause indicating its relaxation, may admit, afterwards, the introduction of the same customs already abolished. But amazing as these theories may appear, they are not the outcome of our imagination; on the contrary, they are well-recognized and positive doctrines of both civil and canonical jurisprudence, established by the Church in several enactments and notably by Gregory IX, C. *Cum Tanto*, 11 tit. ii. *De Consuet.*; and Boniface VIII, C. *Licet Romanus*, 1 tit. i. *De Consuet.* in vi. And as *Ratio*

*legis non cadit sub lege*, even without knowing the reason of that positive disposition of the superior, subjects would be bound to its observance and interpreters would be justified in applying it to particular and practical cases. However, our correspondent is anxious to know the reason of it, and he writes :—

There is nothing—no new force—one would say, in the *Prorsus abstineant* of the newer Statutes, which is not contained in the identically same words *Prorsus abstineant* of the older ones, and if notwithstanding the absolute character of these, a well-established custom in favour of liberty be introduced, why is it to be said that in their new form, without either note or comment, the custom must forthwith cease ?

Now, before showing how much is this argument, presented in the form of a question, in accordance or at variance with the rules of logic, we will briefly state the reason usually assigned by canonists for the canonical doctrine mentioned above. A superior, they say, frames his law for reasonable motives existing at the time of its enactment and frames it in circumstances in which the community under his jurisdiction can, as a whole, comply with the law and derive from it the beneficial effect intended by the legislator ; but he is not supposed to know or foresee all future reasons or circumstances, either general or particular, in which the full application of his law would prove unsuitable or even detrimental to his subjects. This supposition, together with the general theory that no equitable superior wants to urge unreasonably the observance of his orders in altered or adverse circumstances, makes it possible to conceive a presumption of the superior's consent to a future customary relaxation or even total abrogation of his law, notwithstanding the absolute character of his prohibitive enactment. On the contrary, a presumption of the superior's consent to the maintenance of a previous practice against his subsequent prohibitive law cannot be conceived, as he is supposed to know of the past circumstances and reasons in which and for which the practice prevailed and is also supposed not to wish or impose two contradictory things or obligations when enacting a sub-



sequent prohibitive law, contrary to the existing law or custom. The enactment itself of a general prohibitive law, therefore, is a tacit manifestation of the superior's intention of wishing previous laws and customs against it abolished, or it is a sure indication of the change of his mind as to relaxations, customary or otherwise, allowed in the past against a prohibitive law of the same nature already in existence. Hence, in our case the two *Prorsus absteineant* have the same force, but on account of different times, circumstances, and parts of the same legal force they refer to, they produce or allow such different effects to be produced, as the presumption is different which can, in various cases, be formed about the legislator's consent and intention, on which the force of a law always depends.

Seeing, therefore, that the tacit manifestation of the superior's intention to abrogate all practices against his absolute prohibitive law—an intention which he shows by the enactment of the law itself—is equivalent to his express declaration, it seems quite superfluous to the effect of that abrogation to add to the absolute law such a clause as 'Non obstante quacumque consuetudine in contrarium,' or a similar one; a clause which is not indeed a mark of reprobation but only a prohibition. It is true that, according to canonical legislation, new laws do not abolish contrary particular laws or customs without special mention or derogatory clause, but it is well known even *lippiis et tonsoribus* that this rule of Boniface VIII<sup>1</sup> speaks only of Papal Constitutions, because while the Roman Pontiff is supposed to be acquainted with the general law of the Church which he holds *in scrinio pectoris sui*, as the same Pope Boniface remarks, he is not supposed and expected to be cognizant of all particular legislations and practices prevailing all the world over, hence he cannot abolish what he ignores by a general law, and without express declaration. This reason, it is reasonably pointed out, cannot be equally urged in case of particular laws and particular superiors, as they, unlike the Pope, are presumed and

<sup>1</sup> Cf. Bonif. VIII. in lib. i, tit. 1, in vi.

expected to know particular practices in their own more or less limited territories. From this it follows that if any clause is at all necessary to new laws of particular superiors, that is not for the effect of abolishing previous customs, but for the opposite effect of keeping them.

Having said so much about the explanatory reasons of the canonical doctrines we are advocating, we turn for a moment to the argument formulated by our correspondent in the shape of a question, and which we quoted above, in order to see how far it proves his contention. The whole argument comes to this: If the two *Prorsus abstineant* of the old and new Statutes have the same force, and if the first allowed the introduction of a custom against it, the second cannot abolish it. This conclusion, we are afraid, would not satisfy logicians. They would say that the premises—that the second prohibitive law has the same force as the first, and that the latter allowed the introduction of a contrary custom—would only lead to the conclusion that the former would do the same in future; but from these premises to conclude to the impossibility for the second prohibitive law, repeated in the same absolute terms and with the same force as the first, to abolish previous relaxations and practices against it, is to sin against the rule which forbids to draw conclusions wider than the premises and not therein contained. One would understand such a conclusion if the objector, while admitting in the first law the possibility of a contrary custom, denied to it the force of abolishing the practice of assisting at races, or, more correctly, the force of limiting liberty in that respect. But this force or this effect of the first *Prorsus abstineant* was never called in question; on the contrary, it was positively admitted in the statement that priests, soon after the issue of the first prohibitive law, began to seek for the superior's permission to assist at races, even for the special laudable motive by which they were actuated in witnessing the sport; and they went, afterwards, as others did and we showed above, to see races from the vicinity without reference to the Ordinary, in their mistaken impression that such a locality was not within the

bounds of the prohibition, and not for the reason that the first prohibitive law had, at least for them, no power of limiting their liberty of assisting at that sport.

If that be so, and if the second *abstineant* has the same force as the first, why should it not produce the same effect? And if for that effect of the first prohibition no special clause was necessary, why should it be required for the same second law in order to achieve exactly the same result? And if ordinary readers do not find it hard, and were not amazed to see in the first prohibition a limitation of liberty, why should they find it so hard to see the same limitation in precisely the same words of the second prohibition? Hence, we conclude, that the custom in question must cease for the very reason that our correspondent thinks the second prohibitive law incapable of abolishing it; else it does not contain and exert the same force as the first.

As to the question of the curious, in fine, why one custom is to be set aside by the mere re-enactment of the law and the other by well defined words of the clause added to the new Statutes, we have to say that it is not for us to gratify their curiosity, seeing that we have no reason for suppositions which we do not admit. They suppose, in fact, in their question that the declaration made by the new clause, 'Et ab eis e loco quovis vicino spectandis,' does not refer to the practice we have under consideration, at least as far as the prohibition of assisting at races from the vicinity is concerned; whereas the general nature of the words of that clause without any exception of motive or person proves the contrary. And we preferred to insist on the general argument derived from the tacit manifestation of the intention of the legislators in the mere re-enactment of the law, because while, on one hand, the express manifestation of the superior's intention contained in that clause is only a confirmation of the tacit one, the general argument, on the other, has a wider range, and proves the intention of the superiors of prohibiting assistance at races for any sort of motives or persons, and from all places whether they be the vicinity, the race-course, or the locality where the spectators are congregated; as this last instance might have been



the case with some dioceses. Again, they suppose in their question that the custom of assisting at races, if ever legally introduced, received its death-sentence by the oft-repeated clause of the new Statutes ; while, in reality, this clause added nothing to the force of the existing prohibition, except in so far as it expressly manifested the intention of the superiors as to the effect and extension of the prohibition, an intention which was already contained in the general prohibitive law, and which alone would have been sufficient for the abolition of the custom. So, according to our theory, the only questions which could be asked us are first, why such an express declaration of assisting at races from the vicinity and for all motives were at all needed, seeing that it was already included in the general and absolute words of the law ; and, secondly, why such a declaration was confined to the prohibition about the place, without any mention of motives and persons. It seems plain that such a declaration was necessary, not exactly and directly to abolish any custom, a custom which, perhaps, the legislators never admitted as a lawful one, but only to correct the false impression that assistance at races from the vicinity did not come within the purview of the prohibition, and, indirectly of course, to discontinue the effect of that erroneous interpretation ; knowing very well by experience that if the mere enactment of the first prohibition did not prevent such a false persuasion, the mere re-enactment of the same prohibition would not have been sufficient to expel it. And again, that declaration was made only for the locality where priests used to assist at races, because all ecclesiastics of all kinds and for all sorts of motives used to assist at races, as a rule, from the vicinity and, we fancy, that once the declaration about the locality was made, all persons and for all motives would abstain from frequenting the places they used to go to for the purpose of witnessing that sport ; seeing, especially, that the declaration of that prohibition was absolute and general and that priests who went to races for the laudable motive of helping their people in case of need, were comparatively few, of tender conscience and animated with good sentiments and who,

after the re-enactment of the prohibition, would readily discontinue their practice, or, at least, would conceive a doubt about its lawfulness and ask for the superior's permission; just as they did, as our correspondent tells us, immediately after the issue of the same prohibition of the old Statutes.

But whatever be the reason for the addition of the well known clause to the new Statutes, the fact remains that far from having the force of abolishing any custom, that clause is only a declaration and a proof of the presence of such a force in the law itself; and that, therefore, it is the general prohibitive law, independently of its addition, which, by its intrinsic force and by showing the intention of the superiors of having it maintained in the absolute form in which it was first framed, abolishes previous contrary practices for all persons and motives. This is the real point at issue, and the argument which we have all along advocated.

We now conclude this rather lengthy discussion, expressing our hope that these few remarks will prove more satisfactory than those we made on a previous occasion; in the contrary case it is quite plain that our kind correspondent will be at liberty to adopt and follow notions and views quite different from ours, if some other interpretation of the racing Statute appeals to him as being more solidly grounded both on law and fact.

S. LUZIO.

## LITURGY

### THE VIATICUM

REV. DEAR SIR,—Regarding the administration of the Viaticum there seems to be no room for doubt that the prayers, etc., are to be used and the blessing with the pyx given, as prescribed in the Roman Ritual under the heading *Ritus communicandi infirmum*. But in the following cases what are the correct ceremonies:—

I. When Communion is given in a private house, say at a station in a remote country district during the Paschal time or in October, to a number who are not 'infirm' in the ordinary sense of the term?

2. When Communion is given to one or more in a private house, who are not subjects for the Viaticum, but who are so infirm as to be lawfully excused from going to the parochial church?

Is the blessing with the pyx, as some contend, to be given only when Communion is administered *per modum Viatici*?

3. In order to gain the indulgence attached to the recitation of the prayer 'Most Sacred Heart of Jesus' after a Low Mass, is it necessary that both the priest and the faithful say the entire invocation, or is it sufficient for the priest to say the first portion and the people the latter?

I shall be grateful if you can answer these queries in next number of I. E. RECORD.

ARMACANUS.

A short analysis of the various occasions on which Communion may be given, will help to make clear the precise rubrical directions applicable to each group of cases. The Blessed Sacrament may be administered either *in Ecclesia* or *extra Ecclesiam*. In the former case it may be given either *intra Missam*, or *extra Missam*, or immediate *ante vel post Missam*. The proper procedure to be followed in each of these contingencies is described in any ordinary manual of the Rubrics, and it is not necessary here to say more than, perhaps, to emphasize the view which holds that it is the more correct thing in the last hypothesis to give the blessing.<sup>1</sup>

In all cases where Communion is given *extra Ecclesiam*, it is administered either, as the Viaticum, to the dying, or to persons who are unable from sickness to receive it in the church, bearing in mind that when Mass is celebrated in a private house the administration of the Blessed Sacrament on the occasion will be governed, as far as circumstances will permit, by the very same rules that apply to the cases where it is given *in Ecclesia*.

1°. Now as to the first hypothesis, where Mass is said in a private house. There is no difficulty about the case where it is given *intra Missam*. But, when Mass has been said and an interval ensues during which confessions are heard, the priest afterwards comes to distribute Communion,

<sup>1</sup> Cf. I. E. RECORD.



what ceremonies are to be observed? Manifestly the very same, in so far as they are possible, which are prescribed when Communion is given in a church *extra Missam*. Consequently when all are communicated the priest lays the pyx on the Altar, genuflects, covers pyx, purifies fingers, meanwhile reciting the *O Sacrum Convivium*, etc., the Versicles *Panem de Cœlo*, etc., and the Prayer *Deus qui nobis*, etc. (or *Spiritus nobis, Domine*, etc., in Paschal time), then places the Blessed Sacrament in the temporary Tabernacle with customary genuflections, turns and gives the blessing, *Benedictio Dei Omnipotentis*, etc., folds corporal (unless it has to be left for another occasion), etc.

2°. The section in the Roman Ritual entitled *De Communione Infirmorum*,<sup>1</sup> embraces all the cases where Communion is given in a private house, apart from any connexion with Mass, whether as *Viaticum* or *modo ordinario*, and the only difference it makes in both hypotheses is in regard to the form. There is no reason to doubt then that the blessing with the pyx should be given not only when the Communion is administered *per modum viatici*, but also when it is given to a person who is sick or indisposed and unable for some reason to go to the church.

#### FORM FOR BLESSING BAPTISMAL FONT

REV. DEAR SIR,—I. *Blessing of the Font*.—(a) What form should be used on Holy Saturday in blessing the Baptismal Font when the morning ceremonies are 'not observed'? The form in the Missal, it appears, presupposes the morning ceremonies and the use of the Paschal candle.

(b) May the form—as given in Father M'Neece's Ritual—be used? Is it lawful for Irish priests to use the form given on page 42?

#### THE ASPERGES

2. *The Asperges*.—Before every Mass said in a private house the *Benedictio loci* is given, and it is customary to sprinkle holy water on the faithful who assist. Is there any prohibition against giving the Asperges to the hand of each one? Would you consider it more rubrical and in harmony with similar functions of the Church to sprinkle the holy water over the heads of the people?

## COMMUNION OF THE SICK

3. *Holy Communion*.—(a) When giving Holy Communion—not *Viaticum*—in a private house, is it *misereatur tui* or *vestri* that is said?

(b) Is it the *Benedictio Pyxis* or simple blessing of the priest that is given after Holy Communion in house?

1°. (a) When the blessing of the Baptismal Font, even though it takes place on Holy Saturday, has no connexion with the Morning Ceremonies special to this occasion, the form given in the Roman Ritual <sup>1</sup> should be used. For a glance at the Missal will show that the ceremonies described there are only appropriate when the whole function assigned to this morning is gone through.

(b) The shorter form, given in the edition of the Ritual drawn up by the late Canon M'Neece, is that which was formerly granted by Paul III to certain Missionary countries. Whether it can be lawfully used in Ireland depends on the question whether there was ever a special Apostolic Indult given to this country and whether this privilege has never been recalled. The form was given in Coyne's Ritual, but omitted from the first edition of Canon M'Neece's compilation. It was, however, inserted in the second edition of this very convenient book. The presence of the *formula* in Rituals intended for the use of the Irish clergy can only be explained on the assumption that it could be legitimately used by them, and that therefore the requisite authorization for employing it had been obtained.<sup>2</sup>

2°. It is certainly more rubrical to sprinkle the holy water over the heads of the people than to touch their hands or any part of their person with the aspergil. The latter procedure would of course be practically impossible when a large crowd is present. There is, however, no direct prohibition against it recorded anywhere that can be seen, but in their anxiety to touch the sprinkler some persons

<sup>1</sup> Tit. ii. cap. vii.

<sup>2</sup> This Indult is rather doubtful. Search has been made for it in many quarters but to no purpose. Should any of the readers of the I. E. RECORD be in a position to give positive proof of its existence the information will be gratefully received. So long as this doubt continues the short form should not be used.

may be swayed by motives that smack of superstition, and if this were reasonably suspected, the priest should take good care to put an end to the possibility of favouring these erroneous notions.

3°. (a) When Holy Communion is not given to the sick as the Viaticum, but only *ex devotione*, the *Misericatur Vestri* is to be used. The text of the Ritual itself does not make the distinction, but authors generally make it.<sup>1</sup>

(b) In accordance with the usual practice of the Congregation of Indulgences, as well as of the Holy See, it may be safely asserted that it is not necessary for the faithful to say both the Invocation and Response in order to gain the Indulgences. It is quite sufficient if the priest says the first part so that all can hear him, and the people return the answer.

#### OCTOBER DEVOTIONS

REV. DEAR SIR,—In your article of October you state: 'In virtue of the Papal privilege Benediction of the Blessed Sacrament can only be given once each day, at *the very* most, during the month of October.' Is it right or an abuse of the Papal privilege for nuns who are all at Mass to postpone the Rosary, etc., to the evening—even of All Souls—in order to have Benediction? An answer in the I. E. RECORD would give satisfaction to many.

SACERDOS.

An examination of the Encyclical Letters issued on the October Rosary—the *Supremi Apostolatus* of September, 1883, and the *Superiori Anno* of August, 1884—as well as of the Decrees of the Congregation of Rites published on the same subject, makes it clear that there is a free choice given in the selection of the morning or evening for the Devotions, provided only that in the former case they are to be held during Mass and in the latter during Exposition of the Blessed Sacrament. After ordering the public recitation of the Rosary, the second of the above-mentioned Encyclicals thus runs: 'Quod si mane fiat (recitatio Rosarii,

<sup>1</sup>Cf. Cavalieri, cap. v. n. 11; Wapelhorst, *Compendium Liturgiae*, n. 285; Van Der Stappen, *De Sac. Adm.* 207.



etc.) Sacrum inter preces peragatur ; si pomeridianis horis Sacramentum augustum ad orandum proponatur,' etc. Here evidently there is perfect liberty to select one time or the other. But though this is true by reason of the general Indult, still it is within the competency of the Ordinary of each diocese to make such regulations as will harmonize best with the needs of each particular locality, and where such rules are made they must of course be observed.

#### SCAPULARS

REV. DEAR<sup>r</sup> SIR,—During the summer season, and also at other times at evening entertainments, it has become the custom of many Catholic women to put off the Scapular altogether or wear it in some other way but not around the neck as required.

Obviously on account of the light and flimsy dresses of women nowadays, it is not easy to wear the Scapular in the regular way without causing too much notice.

Could you suggest any remedy for this difficulty which would not conflict too much with the requirements of modern fashion ?

The Scapular represents a portion of the religious habit still known by this name, and in order that the indulgences may be gained, the Sacred Congregation expressly requires that it should be worn *constantly* and in the *manner prescribed*. The first of these two conditions will be manifestly fulfilled even though the Scapular is laid aside for a little while, but if one were to put it off for a *notable* length of time, then the Indulgences covering this period would be lost. How long the interval should be in order to endanger the indulgences is a question that must be settled by the common sense of mankind. Many would say that one who puts off the Scapular frequently but only for short periods sins more against the rule than one who would put it off on an occasion for a length of time that would much exceed the former intervals added together. The nature of the cause on account of which the Scapular is laid aside should be considered. For instance, Beringer<sup>1</sup> says that workmen

<sup>1</sup> *Les Indulgences*, i. p. 547.

who take off the Scapulars during the day and put them in their pockets, do not lose the indulgences; but no one would say that the persons mentioned in the query who lay aside the Scapular from other motives not at all praiseworthy, should be entitled to do so with the same amount of impunity. There is no recognized way of adjusting the Scapular about the person, except by wearing it around the neck or over the shoulders, so that one part will fall over the breast and the other over the back. It may not be carried in the pocket or attached to the dress.

#### BENEDICTION OF THE MOST BLESSED SACRAMENT

REV. DEAR SIR,—Would you approve of giving Benediction on days of devotion in this way, as is done in some churches:

1. As soon as the tabernacle door is opened an English hymn is sung;

2. The prayer of the feast taken from the Missal is said by the priest in English;

3. The *Tantum Ergo* is sung and Benediction is given?

Is it allowed to say the Divine Praises et Benediction immediately after the prayer *Deus qui nobis*, etc., to save going up the Altar a second time, and so that the choir may be able to chant the *Laudate* immediately after the Benediction?

Our correspondent will find in the May issue of the I. E. RECORD for the present year, all the information needed about private exposition of the Blessed Sacrament. It is permissible to recite the Divine Praises either immediately after the prayer *Deus qui nobis*, etc., and before the priest goes up to the Altar, or immediately after the people have been blessed with the Sacred Host.<sup>1</sup>

P. MORRISROE.

<sup>1</sup> S.R.C. Decr. n. 3237 ad 1.

## DOCUMENTS

REPLY TO HIS EMINENCE CARDINAL GOTTI, PREFECT OF  
THE SACRED CONGREGATION OF PROPAGANDA, TO THE  
LETTER OF THE IRISH HIERARCHY

ON the occasion of their recent meeting at Maynooth College, a letter was addressed in the name of His Eminence Cardinal Logue and of all the Irish Archbishops and Bishops to His Eminence Cardinal Gotti, Prefect of Propaganda, expressing the gratitude of the Irish people to the Sacred Congregation which, since its institution in 1622, was charged with the affairs of the Irish Church. The history of this Catholic nation during that eventful period is intimately bound up with the Sacred Congregation from which it now severs its connexion. In the darkest days of the Penal Laws we find the Sacred Congregation actively engaged in helping, consoling, and encouraging the persecuted Christians of Ireland. In Italy, France, Belgium, Spain, and above all at home in Ireland, we find constant traces of the benevolent, warm-hearted, and generous support, material as well as spiritual, of the Sacred Congregation, and of its unstinted admiration of the heroic struggle for the faith that was maintained by our forefathers. It was to give some slight recognition of that constant and faithful support, as well as for the considerate, fatherly, and gentle rule of the Sacred Congregation in later times that the letter of the Bishops was sent. The following is the reply :—

S. CONGREGAZIONE DE PROPAGANDA FIDE.

ROMA,

28 Octobris, 1908.

Prot. No. 83833.

EMĚ AC REVĚ DOMINE MI OBSĚ,

Libenti animo excepi litteras humanissimas ab Eminentia tua die 14 vertentis mensis Octobris datas, quibus, nomine universorum Hibernicorum Praesulum, Sacro huic Consilio, cuius



mox istic iurisdictio cessabit, gratias refers ob eas quas hactenus contulit in Hiberniae bonum curas.

Nobilissimi quos profers animi sensus avitam illam Hibernici populi fidem atque in Romanam Cathedram pietatem referunt, quae praecipua vestrae gentis gloria et in rebus asperis praesidium fuit.

Et sane gratulari nunc licet quod praeteritorum temporum procellis tandem quiescentibus, Hibernica gens non solum fidei patrimonium intactum sibi servaverit, sed caeteris etiam populis late per orbem intulerit.

Haec porro S. Congregatio, per cuius tramitem Apostolicae Sedis beneficia in Hiberniam diu dimanarunt, hanc laudem Hibernico populo, amplissimo testimonio, tribuit, eiusque praecipue solertissimis Episcopis ac reliquis sacrorum administris quorum praeclarum semper pariter extitit in Romanum Pontificem obsequium et in populum fidelem studium.

Florentem autem apud vos catholicam religionem novis incrementis augeat Deus, quem etiam enixe precor ut te diutissime sospitet; atque interim tibi profundissimo cum obsequio manus humillime deosculor.

Eminentiae tuae Revm̃ae humilms et addictm̃us servus verus,

FR. H. M. CARD. GOTTI, *Praef.*

Pro R. P. D. Sec.

C. LAURENTI, S

Eñño ac Revñño Dño MICHAELI CARD. LOGUE,  
*Archiepiscopo Armacano.*

#### THE PROMULGATION OF NEW LAWS

SANCTISSIMI DOMINI NOSTRI PII DIVINA PROVIDENTIA PAPAE X  
CONSTITUTIO APOSTOLICA

DE PROMULGATIONE LEGUM ET EVULGATIONE ACTORUM S. SEDIS

PIUS EPISCOPUS

SERVUS SERVORUM DEI

AD PERPETUAM REI MEMORIAM

Promulgandi pontificias Constitutiones ac leges non idem semper decursu temporis in Ecclesia catholica fuit modus; a pluribus tamen saeculis consuetudo invaluit, ut earum exemplaria publice proponerentur frequentioribus quibusdam Urbis affixa locis, praesertim ad Vaticanæ ac Lateranensis Basilicæ

valvas. Quae autem Romae, tamquam in christianae reipublicae centro et communi patria fidelium, promulgarentur, ea ubique gentium promulgata censebantur, vimque legis plenissimam obtinebant. Verum, quum promulgandae legis ratio et modus a legislatoris voluntate pendeat, cui integrum est constitutas innovare ac moderari formas, aliasque pro temporum ac locorum opportunitate sufficere; idcirco factum est, ut, vel anteactis temporibus, non omnes Apostolicae Sedis leges ac Constitutiones, memorata forma, hoc est consuetis Urbis affixae locis promulgarentur. Recentius, sacrarum praesertim Congregationum operâ, quibus Romani Pontifices, ad leges iam latas declarandas aut ad novas constituendas, utebantur, id fere in consuetudinem venit, ut acta Sanctae Sedis eiusque decreta, in Officio a secretis a quo edita essent legitima auctoritate vulgata, hoc ipso promulgata haberentur. Publici sic iuris effecta, dubitari quidem nequit, quin acta ipsa rata firmaque essent, tum quod plerumque munita clausulis, contrariis quibusvis derogantibus, tum quod id genus promulgatio esset vel expresse vel tacite approbata a Pontifice Maximo. Huic tamen promulgandi rationi etsi plena vis esset, solemnitatis illa deerat, quam par est supremæ auctoritatis actis accedere. Eâ de causa complures Episcopi, non modo a nobis, sed a Nostris etiam Decessoribus, quum saepe alias, tum novissime in postulatis circa Ius canonicum in codicem redigendum, flagitarunt, ut a suprema Ecclesiae auctoritate Commentarium proponeretur, in quo novae promulgarentur ecclesiasticae leges, et Apostolicae Sedis acta vulgarentur.

Re igitur mature perpensa, adhibitisque in consilium aliquot S. R. E. Cardinalibus, Antistitum, quo diximus, excipienda vota rati, auctoritate Nostra Apostolica, harum Litterarum vi, edicimus, ut, ineunte proximo anno MDCCCXCIX, Commentarium officiale de Apostolicae Sedis actis edatur Vaticanis typis. Volumus autem Constitutiones pontificias, leges, decreta, aliaque tum Romanorum Pontificum tum sacrarum Congregationum et Officiorum scita, in eo Commentario de mandato Praelati a secretis, aut maioris administri eius Congregationis vel Officii, a quo illa dimanent, inserta et in vulgus edita, hac una, eâque unica, ratione legitime promulgata haberi, quoties promulgatione sit opus, nec aliter fuerit a Sancta Sede provisum. Volumus praeterea in idem Commentarium cetera Sanctae Sedis acta referri, quae ad communem cognitionem videantur utilia, quantum certe ipsorum natura sinat; eique rei perficiendae sacrorum Congregationum, Tribunalium et aliorum Officiorum moderatores opportune consulere.

Haec edicimus, declaramus, sancimus, decernentes has

Litteras Nostras firmas, validas et efficaces semper esse ac fore, suosque plenarios et integros effectus sortiri atque obtinere, contrariis quibusvis non obstantibus.

Datum Romae apud S. Petrum, anno Incarnationis Dominicae millesimo nongentesimo octavo, III Kalendas Octobres, Pontificatus Nostri sexto.

A. CARD. DI PIETRO,

*Datarius.*

R. CARD. MERRY DEL VAL,  
*a Secr. Stat.*

VISA

DE CVRIA I. DE AQVILA E VICECOMITIBVS

*Loco* ✠ *Plumbi,*

*Reg. in Secret. Brevium*

V. CVGNONIVS.

# DOUBTS REGARDING THE DECREE 'NE TEMERE'

## S. CONGREGATIO CONCILII

### CIRCA DECRETUM DE SPONSALIBUS ET MATRIMONIO

Ex pluribus dubiis, quae ad hanc S. C. postremis hisce temporibus pervenerunt, nonnisi infrascripta hodie proponuntur in plenariis comitiis, quum cetera vel facili negotio solvi possint, vel potius inter cavillationes sint accensenda. Praeterea heic adnexa exhibentur vota, quae, propter rei gravitatem, a duobus Consultoribus exarata fuerunt.

Dubia. I. *Utrum ad valida ineunda sponsalia partes teneantur subsignare scripturam unico contextu cum parocho seu Ordinario aut cum duobus testibus; an potius sufficiat ut scriptura, ab una parte cum parocho vel cum duobus testibus subsignata, remittatur ad alteram partem quae vicissim cum parocho vel cum duobus testibus subscribat.*

II. *An ad sponsalium validitatem in scriptura sit apponenda data, seu adscriptio diei, mensis et anni.*

III. *An vi decreti 'Ne temere,' etiam ad matrimonia mixta valide contrahenda, ab Ordinario vel a parocho exquirendus et excipiendus sit contrahentium consensus.*

IV. *Utrum ad valide et licite matrimoniis adsistendum, ad tramitem art. VI decreti, requiratur semper delegatio specialis, an vero sufficiat generalis.*

V. *An in locis dissitis, ad quae missionarius singulis mensibus non venit—in quibus tamen, si peteretur, haberi posset, et vel ad eum aut ad alium missionarium, qui sit parochus in sensu decreti, absque gravi incommodo possent accedere sponsi—matrimonia contracta sine missionarii seu parochi praesentia retinenda sint uti valida.*



VI. *Utrum ratione momentanei, inopinati et fidelibus prorsus incogniti transitus per aliquem locum, a quo iam a mense missionarius abest, interrumpi dicenda sit illa rerum conditio, de qua in art. VIII decreti.*

VII. *An et quomodo annuendum sit petitionibus Ordinariorum Sinensium qui ob peculiares illius regionis condiciones postularunt: 1°. exemptionem a praescriptionibus decreti in sponsalibus ineundis; 2°. dispensationem a praesentia parochi et quandoque etiam testium, sive in matrimoniis ex dispensatione contrahendis a baptizatis cum non baptizatis, sive in matrimoniis inter catholicos, qui sub paganorum potestate sunt constituti.*

VIII. *Utrum subditi dioecesis Damaensis, in dioecesi tamen Bombayensi commorantes, et e converso subditi dioecesis Bombayensis degentes in dioecesi Damaensi, ut validum et licitum ineant matrimonium, teneantur se sistere dumtaxat coram paracho personali vel possint etiam coram paracho territorii.*

IX. *An et quomodo providere expediat casui, quo parochi a lege civili graviter prohibeantur quominus matrimoniis fidelium adsistant nisi praemissa caeremonia civili, quae praemitti nequeat et tamen, pro animarum salute omnino urgeat matrimonii celebratio.*

Resolutiones. Et Emi. Patres S. C. Concilii in plenariis comitiis diei 27 Iulii 1908 respondendum censuerunt:

Ad I. *Affirmative ad primam partem, negative ad secundam.*

Ad II. *Affirmative.*

Ad III. *Affirmative, servatis ad liceitatem quoad reliqua praescriptionibus et instructionibus S. Sedis.*

Ad IV. *Quoad delegationem nihil esse immutatum, excepta necessitate eam faciendam sacerdoti determinato et certo, ac restrictam ad territorium delegantis.*

Ad V. *Negative.*

Ad VI. *Negative.*

Ad VII. *Quoad primum negative. Quoad secundum, concedendam esse iisdem Ordinariis facultatem dispensandi a forma substantiali matrimonii pro casibus tantum verae necessitatis, cum potestate hanc facultatem etiam habitualiter subdelegandi missionum rectoribus; facto verbo cum SSmo.*

Ad VIII. *Dilata.*

Ad IX. *Non esse interloquendum.*

Eadem autem die SSmus. Dnus. Noster Pius PP. X, audita relatione infrascripti Secretarii, supra recensitas resolutiones ratas habere et approbare dignatus est, contrariis non obstantibus quibuscumque.

✠ VINCENTIUS Card., Episc. Praenest., Praefectus.  
B. POMILI, Secretarius.

## THE DECREE 'NE TEMERE' IN CHINA

S. C. DE PROPAGANDA FIDE

PROROGATUR AD ANNUM applicatio decreti 'NE TEMERE' DE  
SPONSALIBUS ET MATRIMONIO IN REGIONE SINENSI*Illme. ac Rme. Domine,*

Post latum a S. Congregatione Concilii die 2 mensis augusti superioris anni, iussu et auctoritate Pii PP. X, decretum *Ne temere* de sponsalibus et matrimonio, nonnulli regionis Sinensis Ordinarii ab hac S. Congregatione Fidei Propagandae praeposita dilationem petierunt ad congruum tempus pro publicatione et applicatione supra citati decreti. Quas preces cum in audientia diei 26 vertentis mensis februarii SSñño Dño Nostro Pio PP. X retulerim, eadem Sanctitas Sua praedictorum preces benigne excipiens, S. Congregationi de Propaganda Fide commisit ut pro tota regione Sinensi concedere posset prorogationem ad annum, hoc sensu ut praefatum decretum in Sinensi territorio vim legis incipiat habere a die solenni Paschae Resurrectionis D. N. Iesu Christi anni millesimi nongentesimi noni.

Potestate itaque mihi facta a SSñño Dño Nostro, Amplitudini Tuae significo decretum *Ne temere* in Missione tuis apostolicis curis concredita vim legis non habere nisi a die sollemni Paschae proximi anni. Interim Deum precor ut Te diu sospitem incolumemque servet.

Datum Romae ex aedibus S. C. Propagandae Fidei, die 29 Februarii 1908.

Amplitudinis Tuae

Addictissimus servus

Fr. H. M. Card. GOTTI, *Praefectus.*ALOISIUS VECCHIA, *Secretarius.*

## THE BIBLICAL COMMISSION AND THE BOOK OF ISAIAH

COMMISSIO PONTIFICIA 'DE RE BIBLICA.'

DE LIBRI ISAIAE INDOLE ET AUCTORE.

Propositis sequentibus dubiis Commissio Pontificia de Re Biblica respondit:

*Dubium I.*—Utrum doceri possit, vaticinia quae leguntur in libro Isaiae,—et passim in Scripturis,—non esse veri nominis vaticinia, sed vel narrationes post eventum confictas, vel, si ante eventum praenuntiatum quidpiam agnosci opus sit, id prophetam non ex supernaturali Dei futurorum praescii revelatione.

sed ex his quae iam contigerunt, felici quadam sagacitate et naturalis ingenii acumine, coniiciendo praenuntiasset ?

*R. Negative.*

*Dubium II.*—Utrum sententia quae tenet, Isaiam ceterosque prophetas vaticinia non edidisse nisi de his quae in continenti vel post non grande temporis spatium eventura erant, conciliari possit cum vaticiniis, imprimis messianicis et eschatologicis, ab eisdem prophetis de longinquo certo editis, necnon cum communi Ss. Patrum sententia concorditer asserentium, prophetas ea quoque praedixisse, quae post multa saecula essent implenda ?

*R. Negative.*

*Dubium III.*—Utrum admitti possit, prophetas non modo tamquam correctores pravitatis humanae divinique verbi in profectum audientium praecones, verum etiam tamquam praenuntios eventuum futurorum, constanter alloqui debuisse auditores non quidem futuros, sed praesentes et sibi aequales, ita ut ab ipsis plane intelligi potuerint ; proindeque secundam partem Isaiae (cap. XL-XLVI), in qua vates non Iudaeos Isaiae aequales, at Iudaeos in exilio babylonico lugentes, veluti inter ipsos vivens alloquitur et solatur, non posse ipsum Isaiam iamdiu emortuum auctorem habere sed oportere eam ignoto cuidam vati inter exules viventi assignare ?

*R. Negative.*

*Dubium IV.*—Utrum, ad impugnandam identitatem auctoris libri Isaiae, argumentum philologicum, ex lingua stiloque desumptum, tale sit censendum, ut virum gravem, criticae artis et hebraicae linguae peritum, cogat in eodem libro pluritatem auctorum agnoscere,

*R. Negative.*

*Dubium V.*—Utrum solida prostent argumenta, etiam cumulative sumpta, ad evincendum Isaiae librum non ipsi soli Isaiae, sed duobus, imo pluribus auctoribus essetribuendum ?

*R. Negative.*

Die autem 28 Iunii anni 1908, in Audientia ambobus Rm̃is Consultoribus ab Actis benigne concessa, Sanctissimus praedicta responsa rata habuit ac publici iuris fieri mandavit.

FULCRANUS VIGOUROUX, P.S.S.

LAURENTIUS JANSSENS, O.S.B.

*Consultores ab Actis.*

Romae, die 29 Iunii, 1908.



THE VENERABLE CATHERINE DE FRANCHEVILLE  
VENETEN

DECRETUM BEATIFICATIONIS ET CANONIZATIONIS VEN. SERVAE  
DEI CATHARINAE DE FRANCHEVILLE, FUNDATRICIS CONGREGATIONIS FILIARUM BEATAE MARIAE VIRGINIS A RECESSU  
VENETENSI

DECRETUM INTRODUCTIONIS CAUSAE

Provido Dei consilio, in medio nationis turbida tempestate agitatae, una cum fortissimis viris, saepe floruerunt eximiae foeminae, christianae societatis gloria et decus, quae ad fidem salutemque patriae tutandam, sive in acie sive in recessu, quandoque etiam per religiosas familias a se institutas ingenium, industriam, operam animique alacritatem utiliter contulerunt. Ex his ad opportunum solatium et robur piis praesertim mulieribus comparandum, memoriam revocare iuvat illustris foeminae Catharinae de Francheville fundatricis congregationis Filiarum B. V. M. a recessu Venetensi, de cuius beatificationis causa introducenda penes Sacram Rituum Congregationem actum est. In oppido Galliae *Truschat* nuncupato, Venetensis dioeceseos, die XXI Septembris anno MDCXX ortum duxit Dei Famula. Nobiles probrigue parentes Daniel de Francheville et Iuliana Cillart omnem curam impenderunt educandae proli, quae pietate, bonis moribus, et propensa ad misericordiam in pauperes voluntate etiam ob indolis bonitatem ingenique acumen abunde respondit. Adolescentula nec venustate formae nec divitiarum copia nec voluptatis sensu irretita, austeram vitae rationem amplexa est, suamque integritatem religiose custodivit. Viginti aetatis annos agens gravi morbo tentata, animi quoque angorem ac sollicitudines passa est, in quibus Deum assidue precabatur ut a sempiternis cruciatibus misericorditer liberata, piaculares ac temporaneas tantum poenas persolveret. Hinc accuratiori studio defectibus etiam levibus effugiendis, bonisque operibus exequendis incumbibat. Interim parentibus orbata in civitatem Venetensem penes fratrem suum se recepit cum quo aliquot annos vixit. Etsi nunquam de sponsalibus ineundis excogitasset, tamen oblatas sibi nuptias nobilissimi viri qui supremo Britanniae Minoris coetui praeerat, prius haesitans, postea suadentibus consanguineis deliberata, inire consenserat, quam ob causam civitatem Rhedonensem petiit. Verum quum appropinquasset civitati eiusque suburbia ingrederetur, ecce defunctus efferebatur idem vir cum quo in matrimonium erat collocanda. Inopinato atque luctuoso eventu

commota, Dei voluntatem atque monitum in eo recognovit de perfectiori vitae statu capessendo. In civitatem Venetensem statim reversa, plae viduae adhuc iuvenis nomine Gué familiaritate usa est, atque eius exemplo atque hortante religioso viro P. Hadriano Duran S. I. plures fecit ad virtutem progressus. Post auditum sermonem de muliere flagitiis famosa, Ipsa sumpto habitu vulgari, pretiosa quaeque et vestes et gemmas et monilia, sive ad sacras aedes ornandas sive ad pauperes egenosque sublevandos destinat. Praeterea missiones in parocia promovet, adolescentulis in periculo versantibus prospicit, plerisque iuvenibus prius ad sacrum recessum postea ad statum religiosum viam aperit. Recessus similes illis qui pro hominibus instituti fuerant, pro foemineo sexu Catharina erigi curavit, de sui spiritualis directoris consilio atque obtenta venia Ordinarii Venetensis. Verum gravibus difficultatibus, unde minus expectabantur, exortis, opus inceptum fere per annum patienter suspendere debuit. Remotis autem impedimentis, die IV Decembris anno MDCLXXIV recessus iterum patuere penes aedes Seminarii Venetensis curante Dei Famula et adiuvante Ioanna Marla Pinczon, vidua Haux, optimis praedita dotibus. Interim Instituto ampla, princeps stabilisque domus apud S. Salomonis templum parabatur eaque anno MDCLXXXIX absoluta, die quinta Maii, ad sacros recessus adhibita fuit. Exinde Congregatio Sororum sub titulo et patrocinio B. M. V. a recessu Venetensi edita est, quae cum probatis regulis, et tribus votis castitatis, obedientiae et firmae apud domum recessus commorationis, in dies percrebuit. Istae sacrae virgines, Mariae ad exemplar velut in coenaculo congregatae, spiritualium recessuum exercitiis puellarum educationem cum ingenti animarum profectu adiunxerunt. Tempora vero perturbationis gallicae imminuere quidem, non tamen extinguere potuerunt Institutum a Dei Famula fundatum; quod adhuc superstes collatis Sororum viribus atque auctis veterem ac beneficam missionem constanter usque in praesens adimplet, ab Apostolica Sede decreto approbationis anno MDCCCLXXXVII decoratum. Haec congregationis et Filiarum gloria in laudem fundatricis et matris redundat. Tandem Catharina quum vitam austeram et sanctam, totam in oratione et in misericordiae operibus, iuxta finem sui Instituti, ad annum aetatis sexagesimum nonum perduxisset, gravi et diuturno morbo iam vexata, eo ingravescente, extrema Ecclesiae sacramenta a R. P. Vincentio Huby S. I. devotissime recepit atque Iesum et Mariam invocando, utriusque amore veluti consumpta placide expiravit die XXIII Martii anno MDCLXXXIX. Fama sanctitatis qua Dei Famula vivens fruebatur, post eius obitum inclaruit atque adeo constans atque in dies aucta est, ut de ea

processus informativus ordinaria auctoritate in ecclesiastica Curia Venetensi constructus sit et ad Sacram Rituum] Congregationem transmissus. Quum vero omnia in promptu sint, paucorum scriptorum Servae Dei revisione peracta atque obtenta dispensatione tum a lapsu decennii tum ab interventu et vote Consultorum, ad instantiam Rm̃i P. Aloysii Copéré Societatis Mariae Procuratoris generalis et huius causae Postulatoris, atque attentis litteris postulatoriis quorundam Em̃orum S. R. E. Cardinalium, plurium Rm̃orum Sacrorum Antistitum aliorumque virorum ecclesiastica vel civili dignitate praestantium una cum plerisque religiosis ac piis consociationibus utriusque sexus ac praesertim cum Antistita generali et Sororibus B. M. V. a recessu Venetensi, Em̃us et Rm̃us Dñus Andreas Steinhuber in ordinario Sacrorum Rituum Congregationis coetu, subsignata die ad Vaticanum coadunato, sequens dubium discutiendum proposuit: *An signanda sit Commissio introductionis causae in causa et ad effectum de quo agitur?* Porro Em̃i et Rm̃i Patres Sacris tuendis Ritibus praepositi, post relationem ipsius Em̃i Ponentis, audito etiam voce et scripto R. P. D. Alexandro Verde sanctae fidei Promotore, omnibus sedulo perpensis respondere censuerunt: *Affirmative seu Commissionem esse signandam, si Sanctissimo placuerit.* Die XXI Augusti MDCCCXVI.

Quibus omnibus Sanctissimo Domino Nostro Pio Papae X per infrascriptum Cardinalem Sacrae Rituum Congregationi Pro-Praefectum relatis, Sanctis Sua rescriptum Sacrae eiusdem Congregationis ratum habuit et probavit, propriaque manu signare dignata est Commissionem introductionis causae praefatae Venerabilis Servae Dei Catharinae de Francheville, fundatricis congregationis Filiarum Beatae Mariae Virginis a recessu Venetensi, die XXII, eisdem mense et anno.

A. Card. TRIPEPI, *Pro-Praefectus.*

✠ D. PANICI, *Archiep. Laodicea., Secretarius.*

#### BURIAL SERVICE OF SENATORS AND DEPUTIES IN FRANCE

DEPUTATI ET SENATORES GALLIAE QUI VOTIS SUIS LEGEM SEPARATIONIS CONSTITUERUNT, EXCOMMUNICATIONI LATAE SENTENTIAE SUBIICIUNTUR, SOLVUNTUR QUAEDAM ALIA DUBIA PRAECIPUE EORUMDEM SEPULTURAM RESPICIENTIA.

*Beatissime Pater,*

Vicarius Generalis dioecesis N . . . implorat solutionem sequentium dubiorum :



I. An deputati et Senatores Galliae qui votis suis legem Separationis, ut aiunt, constituerunt, subiaceant, ipso facto, excommunicationi latae sententiae?

II. Quatenus affirmative, an Ordinarius debeat contra illos declaratoriam excommunicationis sententiam ferre ut ecclesiastica sepultura priventur?

III. Quatenus negative, ad iidem subiaceant excommunicationi tantum ferendae sententiae?

IV. Si iidem Deputati et Senatores excommunicati non sunt, an habendi sunt ut peccatores publici ita ut sint omni ecclesiastica sepultura privati?

V. Quatenus negative, an expedit praedictos si decedant, iisdem religiosis honoribus tumulari quibus caeteri fidelium et utrum conveniat observare practicam hanc normam: ut eisdem Deputatis et Senatoribus defunctis concedatur tantum missa lecta cum simplici absolutione cadaveris?

Et Deus . . .

Sacra Poenitentiaria, mature consideratis expositis, respondet:

Ad I. Affirmative.

Ad II. Ad id Episcopum minime teneri, nec generatim consulendum, nisi specialis ratio aliud prorsus exigat.

Ad III. Provisum in primo.

Ad IV. Si notorie constet huiusmodi homines in peccato suo decedere, indigni sunt ecclesiastica sepultura.

Ad V. Si poenitentes defuncti sint, non sunt privandi consuetis honoribus; si res dubia sit, *affirmative* ad secundam partem.

Datum Romae ex S. Poenitentiaria die 20 Maii, 1908.

GIORGI, S.P., *Regens*.

## NOTICES OF BOOKS

THE STORY OF THE CONGRESS, London: Burns and Oates,  
1908.

THIS, I take it, is not the official record of the doings of the great Eucharistic Congress of September last, but only a popular and abridged account of it. It is well illustrated; although Ireland gets the cold shoulder in the illustrations as well as in the letter-press. I have noticed a similar attitude towards this country in the accounts of the Congress contributed to the *Civiltà Cattolica* and the *Month* by the Rev. Sydney Smith, S.J., and still more by the Rev. Francis Aveling, D.D., in his account of it supplied to the *Catholic World* of New York. This, however, is not a matter to be taken *au tragique*. Provided good is done it is of little importance who does it. Little minds have little prejudices, and jealousy is the hall-mark of inferiority. No such narrowness was noticed in the attitude of His Grace the Archbishop of Westminster, either before, during, or after the Congress. The same may be said of most of the leading organizers of the great event. It is some advantage to the English Catholics that when they are brought back to the ordinary work-a-day life of church-building and preserving their schools they have to depend rather upon men like His Grace the Archbishop of Westminster, than upon the Sydney Smiths, the Francis Avelings, and the compilers of the *Story of the Congress*.

I myself was present at one of the sectional meetings of the Congress in the hall at Buckingham Gate, when a paper on attendance at daily Mass was read by a well-known Abbot. The paper was a good one; but in his comments on it, one of the English Bishops spoke about the difficulty of getting the poor Irish in his cathedral city to go to Mass. Now there may be, and I have no doubt there is, some truth in the accusation. But do all Catholic Italians in England go to Mass? Do all Belgian Catholics? Do all the French? Do all the Germans in London, Brighton, Liverpool, Manchester, and all over the United Kingdom who are Catholics, go to Mass? And if not, why single out the poor Catholic Irish and drag them before an International Congress to display their rags and their weakness? If there is to be consideration for the

feelings of all nationalities on such an occasion, why should we be an exception?

I have no doubt it never occurred to the distinguished prelate that he was saying anything that should grate on the feelings of an Irishman. Would it occur to him in the case of the French, or the Belgians, or the Swiss, or the Italians? I should think it would; and I know he would not dream of singling out the Catholics of any of these nationalities for special comment and blame; and yet he is surely under greater obligations to the poor Irish than to the people of any other country.

The Congress was, on the whole, a splendid and triumphant success. The Irish both at home and in England were quite willing to let their English brethren have their celebration and all the glory attached to it. They practically effaced themselves and pocketed no little of their pride in the midst of all the grandeur and display, looking only to the general success of the celebration. In all that they did what was right and dignified, and becoming. But a little generous recognition of the fact might do no harm to people who are looking for Irish votes in Parliament and out of it. The few Irish Bishops who spoke at the Congress bore ample testimony to the kindly and generous feelings of Irish Catholics towards their brethren in England. There was no speech delivered at the Congress more impressive or more appreciated than the great speech of the Archbishop of Tuam at the splendid meeting of men in the Albert Hall on the memorable Saturday night. Yet not a word of recognition of that message of brotherhood and good will is to be found in the papers of either the Rev. Sydney Smith, S.J., or of the Rev. Francis Aveling; and only two little extracts of the speech are given without note or comment in the *Story of the Congress*.

Anybody who knows His Grace the Archbishop of Westminster is well aware that there is no man living who has a more kindly feeling towards the Irish people or a more delicate sense of what is due to them. He is not only incapable of any of the cheap sarcasm which is so common amongst the inferior class of Englishmen, but he has availed himself of every opportunity of showing his good will that circumstances have put in his way. What he was before, he was during the Congress. Whatever he put his hand to bore the traces of his tact, dignity and ability. It was, I think, fortunate indeed that a hand so skilful was engaged in moving the springs of an event so momentous in the religious history of England. It is a pity that some of those who filled—and fill a smaller place in con-



nexion with the event did not and do not give much evidence of the same qualities. Nobody has more admiration than I have for the zeal and devotion of the English Catholics, and for the great work they are doing for religion. It is but the barest justice to recognize it, and no Irish Catholic wants to question it: but if the Catholics of these islands are to help one another and stand by one another, the recognition must not be altogether confined to one side.

J. F. H.

A TUSCAN PENITENT. The Life and Legend of St. Margaret of Cortona. By Father Cuthbert. London: Burns and Oates.

THE Life of St. Margaret of Cortona is of no common interest to the student of religious psychology, and is of peculiar importance for people generally. In her life, as in St. Paul's, we have an accurate example in the concrete of the relations of the natural to the supernatural order. It is Catholic teaching that man is purified and saved, not by putting away his nature, his thoughts, and emotions, but by elevating them to a higher plane by Grace. And as the author says, 'In St. Margaret's life we have a clear illustration of the religious life being an exaltation of man, not a negation.' Margaret through all the spiritual life retains that power of ardent love for which she was conspicuous in early days; she is noted for the same high-spirited tone of mind which characterised her as a girl; she ever remains a woman kind and sympathetic, her nature, thoughts, and sentiments, however, permeated by Grace. But the interest of the book is not confined to the student of the spiritual life; it has equal attractions for all. For Mary's life is something more than the story of a particular soul—it is the revelation of God's ways with man.

The treatment of the subject is sympathetic, and the style clear and interesting: all of which we expect when we see that it is written by an eminent member of the Capuchin Order.

D. M.

INSTITUTIONES JURIS ECCLESIASTICI. J. Laurentius, S.J.  
Herder, 1908 (2nd ed.) 712 pp. Price 12s. 6d.

THIS is an excellent compendium. It is clearly arranged and clearly written. But since the promulgation of the

*Sapienti Consilio* the part that regards the Roman Congregations has become antiquated, and now that we are on the eve of the codification of the *Corpus Juris* other parts will soon be out of date. It is an open secret that substantially the new legislation will be ready at the end of this year, though a good deal of time may afterwards be spent in giving the final touches. In view of certain changes that are to be made, our present handbooks will all lose somewhat of their utility, but if the law of 'the survival of the fittest' applies to them, that by the learned Jesuit will be re-issued and will continue to be read by many generations of students of the introduction to Canon Law.

R. W.

A MANUAL OF BIBLE HISTORY : THE OLD TESTAMENT. By Charles Hart, B.A. London : R. & T. Washbourne.

THE main object of this work, the author says, is to supply a text book of Bible History for Catholic Secondary Schools. And, accordingly, we may expect to find it more thorough than the handbooks to which we have been accustomed. It contains an account of the Creation, and a history of the world till the time of Noah, of the Chosen People from the call of Abraham till the passing away of the sceptre from Judah ; the sources are the Bible and Josephus. There is a number of maps which supply a necessity in studying the battles and wanderings of the Israelites ; and a chronological table which facilitates a concise grasp of events. Considering the many intricate questions involved the narrative on the average is clear.

The author wishes that the book should not be a History alone ; he further intends that it should be an introduction to the study of the Bible. In a few Appendices he sets forth the arrangement of the Books of the Old Testament, the languages in which they were written, the principal versions, and the institutions, legal and religious, of the Jews. These additions, while supplying nothing original recall the main outlines of Hermeneutics.

The work, if adopted as a History, will take the place of the Old Testament ; for the majority of our young men excluding theological students do not make a textual study of the Bible. As an account of facts it is a decided advance on existing manuals. But are students bound to hold that the Pentateuch was written by Moses ? Such a distinctly Catholic author as Dr. Barry holds it to be the work of many pens. Are students bound to accept the year 4004 B.C. for the Creation of the world ?

They are taught in other classes that Science accepts a different view; and Catholic commentators of note consider that the Bible narrative does not fix the dates for us. When conflicting views of this nature are put before students, they are thrown into a state of doubt. They cannot distinguish between what is revealed and what is not; and doubt about things non-essential sometimes leads to doubt about Revelation itself. Manuals of Bible History for Secondary Schools should give some indication that authorship and dates are not revealed.

The treatment of the subject may be clear and concise; but it lacks the poetical atmosphere and fascination that surround the original. If a student had not already some knowledge of the attractions of the Bible, we doubt whether this book would induce him to take up the study of it. D. M.

THOUGHTS ON THE RELIGIOUS LIFE. Reflections on the General Principles of the Religious Life, on Vocation, the Vows, the Rules, the Cloister Virtues and the Main Devotions of the Church. With an Appendix of Maxims and Counsels of Saints and Spiritual Writers. Edited by F. X. Lasance. New York: Benziger Bros. Price 6s.

THIS book will be found to be useful for religious, for those who are thinking of becoming such, and for all who are entrusted with the guidance of souls devoted to God's service in the seclusion of the cloister. The sub-title gives a fair index to the contents of the volume. It contains meditations on the chief duties and obligations of religious, on the virtues they should cultivate and the devotions they should practice. These reflections, a few of which we have read, strike one as being full of matter of a solid and practical kind, arranged in well-chosen language, and eminently calculated to be a source of light to those who wish to learn in the school of sanctity. The volume contains over nine hundred octavo pages of fairly small type, but it is printed on very fine paper and tastefully got up, it is neat in appearance and portable in size.

PIONEER PRIESTS OF NORTH AMERICA (1642-1710). By Rev. T. J. Campbell, S.J. New York: Fordham University Press, 1908. Price \$1.60.

In this volume Father Campbell proposed to himself to sketch the lives of a few of the principal missionaries who took part in



the work of evangelising the American Indian tribes. He proposed to himself specially to give the history of these who were connected with the Iroquois race. Their work began in 1642, when Father Jogues, the most famous of the band, was taken prisoner on the St. Lawrence. This zealous missionary suffered martyrdom in 1646. Besides Jogues, the writer deals with Bressani, Poucet, Le Moyne, Dablon, etc., all of whom did remarkable work in the early missions to the Indians, but whose names are now almost forgotten. The sketches are at times too brief; but when the history of the Jesuit Missions of America is finished we hope to have much further information on the lives of some of these early apostles of America.

J. MACC.

THE OLD AGE PENSIONS ACT, 1908. By Richard J. Kelly, B.L. Dublin: Sealy, Bryers and Walker. 6*d.* net.

MR. R. J. KELLY is the author of several very valuable law-books, and has now added another to the number in this very useful little volume. The volume contains the text of the Pensions Act, together with the statutory regulations and orders bearing on it. It is not everyone who is accustomed to read Acts of Parliament and understand their legal phraseology. In his introduction Mr. Kelly makes the text quite clear, and explains the salient and practical features of the Act with great lucidity. Those who require a guide to the Act will find Mr. Kelly a safe and satisfactory one.

J. F. H.











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